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Supreme Court of the United States

October Term, 1989

THE BOARD OF EDUCATION OF OKLAHOMA CITY PUBLIC SCHOOLS, INDEPENDENT SCHOOL DISTRICT NO. 89, OKLAHOMA COUNTY, OKLAHOMA,

Petitioner,

vs.

ROBERT L. DOWELL, ET AL.,

Respondents.

On Writ Of Certiorari To The United States Court Of Appeals For The Tenth Circuit

JOINT APPENDIX

VOLUME III

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RECORD, VOLUME VI

GARY E. BENDER

* * *

[p. 831] Q. Do you serve on the Equity Committee?

A. Yes, I do. I'm chairman of the Equity Committee.

Q. How long have you been chairman?

A. Two years.

Q. Both years that it's been in operation?

A. Yes, sir.

Q. Does the NAACP have representatives on the Equity Committee, to your knowledge?

A. Yes, sir, to my knowledge, three.

Q. Does the Urban League have representatives on the Equity Committee?

A. Yes, sir, to my knowledge, one.

Q. Would you explain for the court the type of things that the Equity Committee has looked at during these last two years?

A. What we've focused on is facilities and textbooks, various areas of building maintenance, areas that we felt that would be [p. 832] an equitable issue. Of course, sometimes if – you run into if one bathroom leaks and the other bathroom leaks across town, that's an equitable issue.

But we have tried to make equity across the board so that each child is being taught the same material, have

the same textbooks, the same material, the same opportunity to learn.

Q. I'd like to direct your attention to defendant's Exhibit 107, which is in evidence, and may be in the book in front of you. That particular exhibit has already been admitted into evidence as a document containing materials concerning the activities and functioning of the Equity Committee.

While you were on the Equity Committee, and in doing this type of work did you make a determination as to the condition of the facilities in the northeast quadrant of the District as compared to other facilities throughout the Oklahoma City District?

A. Yes, we did.

Q. What were your findings?

A. It was surprising. We found that the building usage or the run-downness of the buildings were not in the northeast quadrant, but they were also in the – there were more in the south, southeast part of town. The buildings in the northeast were fairly decent and comparable to the buildings in the north part of town.

Q. Did the Equity Committee do any studies regarding the [p. 833] quality of teachers or the ability of teachers or the degrees that teachers held throughout the district?

A. Right. We asked for that. We came back and we asked for that. We felt that there may be a loophole that we were missing in equity if we didn't find out how the teachers were fairly educationally in breakdown, and we

did do that study, and the study is contained in this section here.

I would like to say that we did find out that teachers, across the board, were teaching and children were learning on a great – on a large scale, and they were professionally involved across the district.

Q. Did the committee analyze the level of parental involvement at the various elementary schools?

A. Yes, sir, and this is where we're going to have to make the – a more bite in the equity issue, in that we found that, even like in the Northeast Quadrant, if you had a school who had an active PTA and PTO, then the school was being supplied, the teachers were being supplied with everything they needed, whereas, right down the street you had an inactive PTA, then there was an inequity situation right there in the same neighborhood. There's going to have to be more of a bite and an upbuild of the PTA and PTO in the school district across the board.

Q. Do you feel that as a result of the implementation of the neighborhood plan that the level of parental involvement in the [p. 834] district has increased?

MR. SHAW: Objection, Your Honor. Leading.

MR. DAY: I'm asking for an opinion.

THE COURT: Overruled.

Q. (BY MR. DAY) Let me restate my question.

A. Yes, sir.

Q. Do you have an opinion as to whether or not the level of parental involvement in the Oklahoma City schools has increased since the implementation of the K-4 neighborhood plan?

A. We have found that some PTA's have flourished because of the neighborhood school program.

Q. Now, when the Equity Committee would find a defficiency [sic] in any school in the district, what would they do?

A. Well, a point in case, we found a very high defficiency [sic] in Telstar, and we were very concerned about the kids. They were disabled kids who were being – didn't have the right facilities.

We immediately went back to the board – well, to Elton Mathews and related our concerns to him, which they – the district – I mean the board, the administration got on it right away and corrected the errors.

And we found that throughout the two years, that when we find defficiencies [sic], such as termite damage, asbestos, or whatever, they were real helpful in responding to that immediately and didn't let it lag, just got right on it.

* * *

[p. 837] Q. What is your understanding of the purpose of the majority-to-minority transfers?

A. Well, my understanding there is that the parents have a right to have their child go anywhere they would like them to go.

Q. For what purpose, though? What is your understanding of the restriction?

A. To me it would be for convenience. At the time Cory was going to Quail Creek, he could come back in the first grade and go back to Village as a day care. We didn't trust him with a key, but – and Candice was at Quail Creek. And so – I'm sorry, Village.

Q. No, I didn't mean to interrupt you.

A. Oh, that's okay.

But – so we felt, as a convenience, they would be in the same place, we are a close family, and to me it's just convenience. Wasn't anything – that's why we opted that. We have that option.

* * *

[p. 840] Q. I believe you mentioned that buildings that have more active PTA's get more of something. Would you describe what it is they get?

A. Well, it could be pencils. If you have an active PTA and the teachers request – if you're familiar with PTA, I'm sure you are – the parents – the teachers may request something from the PTA, then the PTA would respond to that need. If you didn't have an active PTA, you could go in and find, in a case in point, pencil sharpeners, each class would have one.

Q. Who is providing those pencil sharpeners?

A. The parents.

Q. The parents?

A. Right.

Q. And if the parents do not provide the pencil sharpeners or the PTA is not active, then I take it that it may be that the students will go without those pencil sharpeners?

A. No, they'll just go with less.

* * *

[p. 842] Q. Part of the dissatisfaction has based upon the notion that interaction occurred only once a year, wasn't it?

A. Right. But in some schools it occurred three times – in actuality in numbers, sometimes one school, and that of King, had six occurences, three by letter and three by visit.

So some flourished while others didn't, and that's – that's our aim for this fall, to insure that that takes place.

Q. Why is the student interaction plan even necessary?

A. Well, it's a balance. It's – it's to help each child that is in the – a child that's in another area know another child and become familiar with that child so when they get do [sic] a fifth-year school – center that they would know each other.

Q. Why is that important?

A. Well, it's important for – as they grow, they learn each otner. They know the – when they get to another school, they won't be so frightened, without having no

knowledge of individuals there. They'll know somebody, have a friend there, they'll have acquaintances there.

* * *

ROBERT A. BROWN

[p. 848] A. * * * Incidentally, as a reading specialist I was in the Chapter I Program.

I was an assistant principal at the Middle School level for two years, and then last year moved to principal at the elementary level.

Q. Where were you assigned immediately before your assignment at King?

A. I was at Moon Middle School. That's in the same area.

Q. Based on your educational background and experience, do you have an opinion, Mr. Brown, as to whether or not the racial composition of the schools affects the academic achievement of black students?

A. It does not.

Q. And would you tell the court why you hold that opinion?

A. I hold that opinion based on 17 years working with predominantly black students. 18 years I'd have to say now. And in that time what I have seen is that blackness is just another element that you consider in dealing with children. It does not predetermine or determine what's going to happen to them educationally. That's made up by the staff, by the teachers, by how you work with the children.

* * *

[p. 849] Q. Was there any particular reason why you wanted to be assigned to King Elementary?

A. I did not have a lot of – a lot of input as to where I was assigned, but I was very pleased with the assignment. It matches well with my experience.

The students, academically, at King need the kind of expertise that I have in the area of reading, and I think by – you know, we were talking about that earlier just now. I think that, by applying that expertise and by working with that staff and by addressing those problems specifically, that I'm in the right spot. I think I'll do some good things for that school.

Q. Do you hold an opinion as to whether or not parental involvement in the child's educational process has an impact on academic achievement?

A. Certainly. It certainly does. Yes, it has an impact.

Q. Why?

A. The – the child that we deal with at school goes home. If what we are doing is supported, is carried on, even, at the home, then you've – you've got a better chance to effect any kind of chance you want to. The child's going to learn more.

I have a lot of parents that come in with concern about children, and they will ask what they can do at home, and they're given instructions and materials and things that they can use at home. They can certainly make an impact.

* * *

[p. 853] Q. At this point in time, Mr. Brown, do you favor the school board's Neighborhood Plan?

A. Yes, I do.

Q. Why?

A. At my building, it's – it's generated a strong sense of belonging, a strong sense of ownership among the children. It's – it's developed a feeling about the school that I didn't see, or at least didn't see as much of in the days when they were transported all over the district.

In my building I've got parents who are in the building daily, and not just one or two, but several daily. I've got PTA participation by parents who walk over who would not be able to attend otherwise.

It enhances everything we do. The instructional program has improved. The teachers are able to make quick contact. We have quite a few parents without telephones. I've got teachers that go by their homes and see them because they're right there [p. 854] in the area. I've got parents that we can send letters home to and they show up the next day.

To those of us that have been in the district a long time, parents participation is definitely up.

Q. Have you personally noted an increase in the level of parental involvement in the district since the Neighborhood Plan was implemented?

A. In those buildings where I've been working, yes.

Q. Have you noticed any change in the discipline problems of students since the implementation of the Neighborhood Plan?

A. There's a – there's a quicker response from parents in discipline problems. I don't have near the problems that we used to have in getting the parents to come in. It's –

You know, as we go through the year there are some kids that get in more trouble than other children, and I'm getting those parents up without exception. I couldn't say that in previous years. There were several people who I never saw.

Q. Does King have a viable PTA unit?

A. Yes, it does. It's very active.

Q. Do – you mentioned earlier that those parents sometimes come to school and volunteer to do various things. Would you tell the court some specifics in that regard?

A. Yes. Not only the PTA members, but we have other parents as well, who will come into the building.

Because we're – because we're neighborhood and they're [p. 855] able to just walk over in many cases, you know, two or three blocks. They come in and they stand in with classroom teachers. They work in a support room there. They come in and support us on fund raisers.

Our major fund raiser was run almost completely by parents this year, and, in this day and age of budgetary considerations, that's real handy.

They tutor children. They help the teacher get material ready. It's not at all uncommon for the parents to be running off things for teachers, to be going from different – room to room to bring things to them. Just they're involved in every way you can think of.

* * *

[p. 860] THE COURT: And what is that opinion?

MR. SHAW: Your Honor, I would just like to note our continuing objection.

THE COURT: Yes, you have it.

THE WITNESS: I think that the Finger Plan achieved the objective of creating a unitary district.

THE COURT: Do you have an opinion as to whether or not the unitary system continued after the court released its jurisdiction in 1977 to and through the year 1985/6? Do you have an opinion?

THE WITNESS: Yes, sir.

THE COURT: And what's that opinion?

THE WITNESS: In my opinion, the unitary school system is still going. It's still in existence.

* * *

BILLIE LEANNE OLDHAM

[p. 863] Q. Do you have an opinion as to whether or not there has been an increase in the amount of parental involvement in the school since the adoption of the Neighborhood Plan?

A. Yes, I do.

Q. What is your opinion?

A. I feel like it's increased tremendously. I have spent a lot of time in the different buildings across the district helping them to organize their units, and I see a great increase in our parental involvement.

Q. Do you believe that if the Neighborhood Plan is allowed to continue that we will see additional increases in parental involvement?

A. Yes, I do, because each year – when they first start, it's usually just a handful of parents, but then as they get going and the parents see that there is a real value, you know, they want to continue to be involved. So it will just continue to grow. Everybody wants to be involved in something that's exciting.

Q. In your opinion, if parents become involved in a PTA while their child are [sic] in grades K through four, would they be more likely to remain active in the PTA when their child attends grades five through twelve?

A. Yes, I feel like they would, because you're – just like anything else, you are building a base.

* * *

[p. 868] Q. Do you – have you attended any national PTA conventions?

A. Yes, I have.

Q. Do you have any knowledge about the trends in PTA participation nationally over the past decade or two?

A. Well, not really. Not as far as – because I haven't been involved in capacities that I could answer that question.

Q. Now, are you aware of the increasing participation of women in the work force over the past decade?

A. Yes.

Q. And does that include, to your knowledge, women who are the sole support of their families as a result of divorce or other family changes?

A. Yes.

Q. For those parents who have returned to the work force, would it be more difficult, in your opinion, for them to participate in PTA activities than if they were not in the work force?

A. It's more difficult maybe during the daytime, but a lot of people have flexible job schedules.

That's part of the PTA's job. As our society changes we, must make changes.

* * *

JOHN JOSEPH LANE

[p. 880] Q. And what inferences did you draw from your conversations?

A. In terms of the individuals, I found them competent, even enlightened, very well connected with national organizations and what was going on beyond Oklahoma. I would have to go so far as to say that, by any definition, they are professional individuals.

I would have to say that, as I listened to them, I gathered a picture of – beginning to form a picture of a

very progressive kind of district, fair in its public statement of policy. I found people very willing to be involved.

I sensed that the board was very hard working and willing, unlike what I have seen in other districts, frankly, to be very collaborative with the central office.

Without waxing too eloquent here, or attempting to be, I found, time and again, that their stated philosophy of establishing excellence is, in fact, a dream, but it's one that I think they're taking the steps to realize.

Q. Doctor –

A. They firmly believe that every child can learn.

Q. Doctor Lane, you have looked at a number of other school districts. How does Oklahoma City School District compare to those other districts?

[p. 881] A. In what regard?

Q. In implementing an effective schools program and in carrying out their instructional philosophy.

A. It compares very favorably. As I look – as I personally have tried to, over the years, develop effective schools before it was in vogue to call them such, I have found that this district, laboring under tremendous fiscal constraints, has made giant strides.

In the area of communication with parents and among the staff themselves, I – I've seen great progress.

In terms of leadership, emphasis on instruction, monitoring closely the progress of the children, it's really already exemplary.

Q. Why did you then also conduct interviews?

A. Well, frankly, to get out into the field and see if what I read and what I heard was true.

Q. And how did you go about conducting these interviews?

A. I have already indicated that I had worked with the North Central, and I opted to – to take that approach, that I would – I had already read the documents, I have visited with key individuals. I would now, instead of visiting classrooms, I would visit individual school sites and interview with the principals.

* * *

[p. 885] Q. So no principals felt like they were being cut short or any favoritism shown; is that right?

A. That's correct.

Other kinds of questions in that regard dealt with central office support for the schools, and here I was looking for a kind of – I can't even say the word measure, exactly – but a soft measure.

Over the years, I've also noticed that schools can be excluded from connections, if I can put it that way, with the central office. The principal calls and there's no response. And I asked questions along those lines: "When you call the central office, are you met with courtesy? Do you feel that there is a response, that you will get support?"

I was looking for two things, as I have said, one for uniformity, but also, since the district says that it is an effective school district, support for the local school is, in

addition to the five correlates of school effectiveness that have been mentioned several times in testimony, school support is yet another one, and I found, once again, that all of the principals felt that when they called there was response and support.

In the same vein –

Yes.

* * *

[p. 889] Q. Doctor Lane, did you also look at curriculum?

A. Yes, I did, with two particular things in mind. One, of course, to see whether, in fact, the curriculum was uniform across the board, and the other a more concrete kind of thing. I've already referred to curriculum guides. I wanted to know whether, in fact, curriculum guides were available and were they being used.

I found that, in fact, the curriculum was uniform across the board, that curriculum guides were being used, but the principals, moreover, required lesson plans, and these lesson plans involved the curriculum guides.

* * *

[p. 891] Q. Doctor Lane, there's been lots of discussion in the case about parental involvement.

In your professional opinion, how important is parental involvement to a student's education?

A. The two principal agents in the education of a child are the teacher and the parent. Any program that will bring the teacher and the parent closer together is a good program, it seems to me.

The parent gains better understanding of the school's objectives, the teacher's personal objectives, the teacher's perception of his or her child, and they are able, collaboratively, to work for a better education for the child.

Furthermore, some experts have estimated that, though it's quality time, we hope, a child is in school about 13 percent of the time. 87 percent of the time, between roughly birth and age 18, is spent out in the community and with the family.

Anything that can augment the positive aspects of an education in that neighborhood and with the parent and the teacher is a positive thing and a good thing.

* * *

[p. 893] Q. So in every school there was some type of involvement of parents?

A. Some type of – some type of involvement, with the exception of two schools. I can't quite recall which, but I do remember that there were two that didn't have the them, but the other 28 schools did.

Q. Was it your impression that this involvement had increased over the last two years?

A. It was the report of the principals that it had increased, and, in some instances, had increased dramatically, some nothing that parent participation had moved from 13 to 30, 35 members, which is – is quite an increase over a period, frankly, of just a few months.

Q. Did you also look at facilities?

A. Yes, I – yes, I did. I didn't know until testimony yesterday that there was need for about 200 million dollars in repairs, but, as a lay observer of that kind of thing, I can – I can attest that there – the buildings of many of them are in – in serious need of, perhaps, some structural changes and improvements.

Nonetheless, I found that the schools were clean, well maintained, and, in accordance with both my inquiry about uniformity and about matters relating to school effectiveness, they provided safe environments.

[p. 894] Some principals did express concern about the presence of asbestos, and I understand that that's before the board and they understand that something needs to be done.

Q. But was it your general impression that there was uniformity among the schools regarding their facilities?

A. As with finance, as with teachers, as with facilities, the principals reported that, in fact, the district is financially strapped, if one suffers, we would all suffer. That, in fact, the formulas devised for allocation of resources were very scrupulously followed.

* * *

[p. 897] Q. In your professional opinion, and based on your observations throughout the district, is the effective schools program working here in Oklahoma City?

A. Yes, indeed it is. In addition to the five correlates that they have announced as characteristics of school effectiveness, more recent research has lengthened the list a bit to include the very kinds of things the district is

doing; namely, other hallmarks of an effective school are those which, in addition to the five that have been mentioned, strong instructional leadership through monitoring, include also such areas as involvement of parents, collaboration between the central office and the site-level schools, support from the district office up and down the line, planning and communication, and these are in evidence.

Q. Does the Neighborhood School Plan enhance an effective schools program, in your opinion?

A. Yes, it does, because a neighborhood school can insure greater parental involvement, and one of the hallmarks of an effective school is parental involvement. Neighborhood schools perhaps can help in that – in that regard.

Proximity means easy access, and that's very good, and the neighborhood school does help that.

Q. In your professional opinion, is a Neighborhood School Plan educationally beneficial?

A. Yes, it is.

* * *

HERBERT JOHN WALBERG

[p. 913] Q. Doctor Walberg, do you have an opinion as to whether or not the racial composition of a school has an effect on academic achievement?

A. Yes, I do. I think that racial composition of the school is irrelevant to how much children learn in school, and no particular racial composition, such as zero, ten, fifty, ninety, or a hundred makes important difference for how much children learn in school.

Q. What do you base this opinion upon?

[p. 914] A. May I consult my notes, Mr. Day?

Q. Certainly.

A. I base this opinion on a series of studies that have been done since 1966, the first of which was the – sometimes called the Coleman report. It was the survey of "equality of education opportunity," which was a study of some 600,000 elementary and secondary students throughout the United States, carried out for the United States Congress.

There have been analyses of that survey, and they have indicated, collectively, no relationship of – that is, black-for-black learning, how much black students learn in school to the racial composition of a school, or at least inconclusive results and a great deal of disagreement.

There have also been major compilations of smaller-scale studies, particularly various kinds of programs to change, either on a voluntary or a mandatory basis, the racial composition in cities and in metropolitan areas. Some of the reviewers of this have included Nancy Saint John Others.

I would say that perhaps the most important compilation of this evidence was conducted by the National Institute of Education in 198- – 1982, in which six investigators who had experience in doing research on this particular question were brought together by the United States Department of Education to try to resolve this question. The results of the compilation indicated an inconsistent and a very small effect, very [p. 915] close to zero, such that some studies had had a positive – a small

positive effect, some studies have had a negative effect, but in comparison with the kinds of things that I had talked to you about earlier, these nine factors, they were extremely inconsistent and had little impact on learning.

Followups on that, such as Dennis Cutty in 1983, who reviewed this whole compilation, and I'd like to quote what he said.

"The conclusion to be drawn from these 19 best studies is that desegregation has not significantly improved black achievement levels. What slight positive nonsignificant gains there were in the 19 studies, came from the 14 voluntary programs as the five mandatory programs slowed collectively either no gain or an actual decline in academic achievement."

Now, this is the basis for my conclusions.

Q. In your opinion, will the fact that some students in Oklahoma City next year will be attending K-4 elementary schools that are not precisely racially balanced have any effect on the academic achievement of those students, either black or white?

A. I don't think it will have any effect at all.

Q. Doctor Walberg, do you have any opinions concerning the academic benefits which neighborhood schools offer?

A. Yes, I do.

Q. Would you tell us about those?

[p. 916] A. I mentioned the studies of parental involvement or what I call the curriculum of the home,

and in compiling studies, I have published a review of this literature of the studies that had been made throughout the United States in the last 20 years and found that these studies had extremely good consequences for the academic learning of children.

Most of the studies – the experimental – that is to say, the randomized field trials in which some children were given special parental involvement programs, or the curriculum of the home, special tutoring and close relationships between the parents and students, indicated quite sizeable and consistent results.

In addition to that, I personally conducted a study in Chicago about a dozen years ago in an all-black area of the city of highly educationally disadvantaged students. I was asked to help plan the particular program and also to analyze the statistical test scores, and I also found in my own personal studies that there were quite strong and good effects.

* * *

[p. 918] Q. Have you reached any conclusions as to the educational offerings presently in the Oklahoma City School District?

A. Yes, I have. In my opinion, the school board goals and their plans are great aspirations. They have decided to have an urban thrust to strive to become a nationally-recognized model urban district.

They have a number of other goals which they've set forth for themselves, and most important of those is the general excellence in student achievement and learning.

They've tried to, among other goals, assure equity, pride, and success in the reassignment plan, create a positive teaching-learning environment, upgrade the instructional effectiveness of teachers and the instructional leadership of administrator. They have attempted to target financial resources to effectively achieve short term and long – priorities and short range plans.

And finally, they have tried to build harmonious working relationships among the board, superintendent, employees, residents, and other interested parties.

[p. 919] I would say that they have set forth these goals and concentrated their efforts on that.

In addition, that's already been mentioned, they have mounted what I consider to be an extremely ambitious and successful school effectiveness program with the five major goals that have already been described. But, in addition to that, I consider the parental involvement programs highly – have been increasing vastly, and they've also been very successful.

I would say, finally, that the school district has been extremely successful in trying to base what they do on educational research. They have a good – excellent, I would say – research facility. They've been collecting an immense amount of achievement date and putting a strong focus on trying to choose those kinds of programs that would help most effective in helping all the children with respect to their learning in the Oklahoma City Public Schools.

Q. Where do you see the school district headed?

A. I think that the school district, if it keeps these programs in place, and also can increase the – make them more – still even more widespread, – and I think that they are near the national norms now. I think they've been increasing in the last couple of years, but I think that they can increase still further.

In particular, I think that it's cause for celebration, [p. 920] having more PTA's and PTO's and increasing the membership, but I think that the school district can push things even further to get not only some parents in the school but more parents in the school.

And secondly, I think that we have the beginnings, although it's very valuable to raise funds, and I think that the school district is strapped for funds, but I think – and the parents have been able to raise additional funds for the school, but I would like to see them doing even more than this in having what I would call more of this curriculum of the home or parental involvement, such that some of the activities could be focused on more volunteering of parents in the schools, more tutoring – voluntary tutoring in the schools, and having the teachers giving hints for the parents and various kinds of program activities that they can carry out at home, particularly involving home work and other kinds of activities that research has shown has been very conducive to learning and educational achievement.

Q. So I take it, Doctor Walberg, you are of the opinion that parental involvement does have an impact on student academic achievement?

A. It has an extremely consistent impact, and it also has a very large impact from the studies that have been made throughout the United States in the last 20 years.

Q. What conclusions did you reach based on your interviews [p. 921] with the PTA presidents?

A. The conclusions that I reached is that the major activities that they have been engaging in is raising money for the schools. They've also had a series of volunteer activities, such as book fairs of various kinds.

The other activities include some tutoring and some provisioning of information about what the school district is trying to do and the unique characteristics of that particular school, as well as providing information about the personal requirements that teachers may have or what the teachers are trying to do with particular children.

I also sensed from my interviews with the PTA presidents and other representatives that they believe strongly in the value of parental involvement; that is to say that many of them believe that it – and mentioned that it promotes learning; that it promotes a pride in the school, that it increases friendships of children and parents and parents with one another; that it is exceptionally good for discipline, because the parents can be very – in close touch with the teachers.

They also mentioned that parents can support one another's efforts by knowing what other parents are doing in the school.

They also mentioned the fact that parental involvement can promote more homework, which is very conducive for additional learning.

Other conclusions that I made is that a number of the [p. 922] parents wanted to increase the membership in their school and also increase the scope of activities, particularly along the lines that I was suggesting earlier, not just raising funds, but more volunteers in the school and more parental involvement.

I also thought that it was interesting that in some cases grandparents were involved with the PTA. And so there was some sense of inter-generational continuity from one group to the other.

There were a number of other miscellaneous points that people mentioned about how they might send some of the children to camps, for example.

And then I also looked into the question and asked them about the – whether they believe that, for those that were in the K-4 schools, whether distance was a factor in parental involvement, and I learned that they felt that it – when the parent is closer to the school, it minimizes the distance – some of them view it as a safety factor. Some of them also mentioned the fact that it was much more practical, and that they could increase their – that parents, generally speaking, could be more involved in the school if they live closer by and it was easier for them to get there.

Those were my main conclusions.

* * *

[p. 927] Q. Do you draw any particular significance from this exhibit, doctor?

A. Yes. I have – I can look at this exhibit and see that, although there are some exceptions, generally speaking the higher the percentage of students that have free lunch in the school, the lower the achievement levels, and the fewer the children that get free lunches, indicating higher socioeconomic status school, the higher the achievement levels within the school.

Q. Which elementary school in the district had the lowest achievement scores, overall?

A. I believe that the Willard School, which is second – numbered second, has the lowest achievement.

Q. And what is the achievement NCE for Willard?

A. It's 37.7.

Q. Now, what percent of the students attending Willard were receiving free lunch?

A. 81.1 percent.

Q. And what percent of the student body at Willard is black?

A. 6.6 percent.

Q. What percent is other minority?

A. That's 51.9 percent.

Q. And what is the percent white?

A. 41.5 percent.

[p. 928] Q. Now, do I understand correctly doctor, that the Willard School, which was only 6.6 percent black,

had, overall, scored lower on achievement tests than any of the schools in the district that are 90 percent or more black?

A. That's correct.

Q. I'd like to direct your attention at this time to Exhibit 184, which has also been received in evidence, and I'd like for you to identify an[d] explain that exhibit to the court.

A. Defendant's Exhibit 184 is entitled "Oklahoma City Public School's Third Grade Metropolitan Achievement Test."

It shows, for two school years, the students' national percentile rank on read – the reading and the mathematics test on the Metropolitan Achievement Test. The two school years are 1985/86 and also 1986/1987.

Q. What significance do you find in this exhibit?

A. I find that when the total population of the school district is examined at the third-grade level where test scores were available, that there has been improvement in achievement from 1985/86 to 1986/1987.

In the subject of reading, the percentile went from the 43rd to the 45th, and in the subject of mathematics, the school district went from the 45th percentile to the 51st percentile, which is above the national average.

* * *

[p. 933] Q. (BY MR. DAY) Just briefly identify the exhibit for the court and explain it, please, sir.

A. This is entitled "Oklahoma City Public Schools third grade achievement results by race." It shows the mean normal curve equivalent score on the metropolitan achievement test for the two most recent school years, 1980 –

I'm sorry, I have the wrong exhibit here.

It's third to fourth grade gains. I'm sorry. This is for the schools that are – have more than 90 percent black students in them. Gives the names of the schools across, going from Creston Hills and including Dewey, Edwards, Garden Oaks, King, Longfellow, North Highland, Parker, Polk, and Truman.

It shows that the students in these black schools, predominantly black schools, are making substantial – have played substantial gains during this – from third to fourth grade in the period 1986 to 1987. Eight of the ten are positive. One or two schools did not make such high gains, but [p. 934] they lost only slightly.

And, on average, if you look across all of them, you can find that there is a substantial gain since the institution of the K-4 Plan.

Q. Do you have an opinion as to what's responsible for the recent gains of black students?

A. I believe that the programs that I have described and have been described here in testimony in the last day or two are the reasons why students in these schools are gaining more than perhaps they have in the past.

Q. Do you believe that the neighborhood school program for grades K through four, in and of itself, in any way contributed to the gains made by black students?

A. I believe that it is one of the contributing factors. Yes.

Q. And do you also believe that the level of parental involvement may affect these scores?

A. Yes, I do.

Q. Doctor Walberg, did you direct the preparation of all of the graphs in Exhibit 185?

A. Yes, I did.

Q. Did you check the accuracy of the numbers?

A. Yes, I did.

* * *

[p. 942] Q. So the figures shown in the representation – the bar graph representation for King and Garden Oaks are losses. They're not lesser gains. They're losses.

A. Well, perhaps I should clarify this. This is gains and losses, or, I should say, changes in general relative to normal progress in school.

So I could say that all the students were making gains in some sense, because they learned something during the course of the year. But eight of the schools made gains that were larger than those of the national average and two schools made gains that were less than the average gains made in the United States.

* * *

[p. 944] Q. You are aware, aren't you, that in grades five through twelve the district carries out a mandatory busing program to maintain desegregation and racial balance?

A. Yes, I'm aware of that.

Q. So it's fair to say that an effective schools program can be carried out in a desegregated setting, and even in the context of a mandatory plan?

A. That's correct.

Q. And is it also true that the factors you identified as most strongly associated with learning, to the extent that they are under the control of or can be affected by school system action can be provided or enhanced in desegregated schools or in a system carrying out a desegregation plan? –

A. Well, I need to say that it's possible to do these things at the same time, but I also need to remind myself, or to give a full answer, that if there are expenditures involved, such as monetary expenditures for effective schools or for transportation, or if the district has a finite amount of energy and attention that they can give to things, if they are doing two things simultaneously one can take away from the other.

So, while it's theoretically possible to do two, three, or four things simultaneously, we do have to consider the amount of resources that are expended on each activity as well as the benefits involved.

Q. Well, you're not saying, are you, that if you were con- [p. 945] sulted by a school district that was carrying out a mandatory desegregation plan and wished to implement an effective schools program that you would suggest to them that they should dismantle their desegregation plan in order to implement an effective schools program?

A. No, I would not do that. I think they have to simply assess the amount of energy, resources, financial resources that they have and come up with the thing that's in the best interest of the children.

Q. Now, you said you thought there would be no effect on achievement from attendance at any of the more than 90 percent black schools next year. Is that –

A. Yes, I think that was concerned with the question whether the racial percentage would have an effect one way or the other.

Q. And did you mean to suggest in that answer a comparison with attendance at a, perhaps, majority white school?

A. Yes. I think I was being asked to illustrate the point that racial composition of the school, in my opinion, does not have a consistent effect on how much black students learn.

Q. But isn't it correct to say it would be difficult to determine the impact of moving from a school of – a more racially mixed school to one of these 90 percent black schools, for example, between the last year of the Finger Plan and the first year of the new student assignment plan, by looking at [p. 946] the test scores that have been made since then, because there were other changes in programs, such as the implementation of the effective schools program at the same time? I mean, we're never really going to be able to know for sure what was really happening, since the two changes occurred almost simultaneously in the district.

A. The two changes you are referring to are the reversion to the neighborhood schools at grades one through four and the effective schools program?

Q. Correct.

A. And I think I would mention, as well, the increased parental involvement at that point in time.

Q. Well, –

A. I think it's – I think it's difficult to give the exact weight, but I do think that there's been considerable research on effective schools in terms of involvement that suggests that those things would be conducive to achievement, so that if achievement had, in fact, gone down, then I think that that would be quite surprising.

Q. But the fact that achievement has gone up would not be conclusive. I mean, it would be theoretically possible, for example, that for students assigned back to heavily black schools, if there was a negative effect on achievement of some dimensions, it might be outweighed by the positive effect of some parental involvement and effective schools program, the [p. 947] factors that you've mentioned.

A. Well, in my own opinion, I think that the parental involvement and effective schools would lead to higher achievement, and I say that on the basis of my school visits and the interviews and the other studies I have made also, since there have been so many studies of this throughout the United States.

So I don't think we can be absolutely certain of anything in educational research, but I think that there's – I would have very strong confidence that the parental

involvement and the effective schools would be the two major causes of improvement.

* * *

[p. 953] THE COURT: Did you find any discrimination between whites and blacks in your study of the school system?

THE WITNESS: I did not.

THE COURT: Did you make a further study of whether or not this court should continue supervision of the school district?

THE WITNESS: I had only thought of that question since you raised it the last day or two, Your Honor, –

MR. CHACHKIN: Excuse me, Your Honor. Respectfully, again I object to the somewhat different question than the court has previously asked. I believe and I think it's very clear that that is a decision for the court to make to a legal issue in the case, and I don't think this witness is qualified to make it.

THE COURT: Well, I disagree with you on that.

And I think I should at this point – I haven't done it before, but it's been in the back of my mind.

The pretrial order, agreed to between the parties, paragraph 7 of the contentions of the defendant reads

* * *

RECORD, VOLUME VII

[p. 971] Q. Have you reached any conclusion?

A. Yes. I think segregated schools are harmful from American standards, are harmful to black students because they would inhibit their learning as reflected in the standard achievement test scores, and it would inhibit their ability to finish high school and to finish college. It reduces, somewhat, their political participation. Graduates of segregated schools have worse employment prospects.

You could also – the evidence would also be that white graduates of segregated schools are somewhat – have somewhat more difficulty in interaction, friendships, and conversation with blacks, and are somewhat more prejudiced.

I'd say those are the main factors that one should talk about.

Q. What is the basis for your conclusion that segregated schools have harmful academic effects and desegregated schools presumably do not?

A. Mainly, the META analysis that I did for – originally for the Ford Foundation and the later one I did for the National Institute of Education. The later one surveyed 93 different studies of desegregation achievement. Most of these were – many of these were doctoral dissertations written by school principals and school administrators around the country about their own school districts, and I analyzed these studies and found a pattern indicating that black students from segregated [p.

972] schools tended to score less well on standard achievement tests.

Q. Were the results of your analysis uniform?

A. No. there's a – there's been a clear discrepancy, because about half of the studies done show a sort of clear positive effect of desegregation, and the other half show essentially no effect at all. Occasionally a study will actually show there are negative effects of desegregation.

Q. You're talking about effects on what students?

A. On black students. On black student achievement test scores.

Q. Did you study the effects on white students' test scores?

A. No, I didn't. That question was studied several years ago by several different people. They always found that white test scores were not affected by desegregation, and I think, as far as I know, all sociologists and psychologists think of that as essentially a closed issue. No-one has studied it for the last ten years.

Q. So you were studying then the effects of academic achievement on – of desegregation on black students only, –

A. That's right.

Q. – and the results were not uniform?

A. That's right.

* * *

[p. 1003] Q. Doctor, –

A. Can you do this whole analysis a different way. what I've done here is to look at the same cohort as they move from one grade to another, but that means you're switching from one test to another.

A simpler method would be simply to look at the same grade and say, "This is a reasonably large school district. You wouldn't really expect the students who entered – who were, say, thirteen years old to be terribly different from the students that are twelve years or the students who are fourteen years old at any one time. Let's simply look at all the students who were first graders in 1984, all the students who were first graders in 1985, and students who were first graders in 1986.

Q. I was going to ask you about that, Doctor Crain. You have been talking about tracing cohorts through.

A. That's right.

Q. Now you're talking about comparing the first grade in one year with the first grade in another year, and then doing the same thing for other years.

A. That's right.

Q. For the grades rather?

[p. 1004] A. Yes, we're comparing grades. We're comparing different cohorts to each other.

If you do that, you get almost exactly the same pattern. For example, the first grade gap in the fall of '84 was eleven points, in the fall of '85 was eleven – the spring of '84 was eleven points, spring of '85 was eleven points, spring of '86 was fifteen points. The gap had gotten worse.

That's also true for the second grade, that's also true for the third grade. There's no difference in the fourth grade. It's also true for the fifth grade.

On the other hand, in the upper grades, six through eleventh, the gap got worse in 1986 in only two cases and got better in four cases. So, you see the same pattern again in the upper grades. There is improvement in the gap, declining. In lower grades the gap – the lower grades, the gap has gotten worse.

Now, this is not very strong evidence that Oklahoma City is following the national trend in which segregation is more harmful to achievement. I would expect that to be the case, but this is really not very strong evidence, because it's the first year of the plan, and students were moved around, teachers were moved around, and you would expect some amount of disruption.

The best I can say is that certainly the new effective schools program that I've read some literature about is working [p. 1005] in the upper grades better than it is the lower grades, and there's no evidence here that – that – at least I would not interpret this as giving any evidence at all to indicate that students are doing better because they're in a neighborhood school. You would have to say the students are doing worse. Maybe they'll do better in some future year, but they're not doing better not. They're doing worse.

Q. Doctor, you've indicated that the time which has passed between the implementation of the plan and now makes it difficult to do a definitive analysis and reach definitive conclusions.

A. Uh-huh.

Q. Would that be – is that your experience in other situations?

A. Yes. I have worked with achievement tests in a number of studies, and I've studied desegregation plans. You do want some time for things to settle down, and especially you don't want to compare two different tests. It's always very difficult. Well, you just don't want to do it. You can't do it most of the time.

* * *

[p. 1008] A. * * * If that's the case, then I would summarize these results as follows: They indicate that black families who live in racially mixed and predominantly white neighborhoods have children who score higher on tests than black families who live in the ghetto, and I would be absolutely astonished if that were not the case, and it has absolutely nothing to do with riding a bus.

This research is absolutely indefensible. No social scientist in the country would accept this as competent research. You have to control, you have to match students on their background characteristics and on previous ability, and every study that possibly could be published does that. You just have to do that, and this doesn't do it.

* * *

[p. 1011] Q. In your view, does this provision offset the damages that you have described?

A. No.

Q. Why not?

A. They simply – they simply operate at – it's a way of operating a segregated school system by inviting the black families to participate in the process of creating segregation so that it can have a sense of democracy about it. But it's not –

Q. What do you mean by that?

A. I mean, in a society where blacks have grown up treated unequally and been separated from whites, it would be astonishing to expect very many blacks to volunteer for the frightening experience of sending their child across town to an all-white school. It's – it's a burden, it's a lost less efficient that having bus that shows up to take all the kids, you have to separate your child from all his friends, and you have to run this risk of dealing with these whites on the other side of town. You can't expect black families to be willing to risk that.

Consequently, I think anyone who draws a plan which puts this provision in knows that only a tiny percentage will take advantage of it, and that most students will remain in segregated schools.

* * *

[p. 1019] Q. Doctor Crain, one more area of inquiry.

Do you advocate the same – Do you reach the same conclusions with respect to desegregation when it comes to choices regarding higher education?

A. No.

Q. Why not?

A. I think black colleges – I think it's a big mistake on the part of the Federal Government to – to press for

the total desegregation of black colleges, and I think the Federal Government learned that lesson and, in fact, has backed away from that position.

In a situation where college attendance is voluntary, there are some black students who would be very uncomfortable in a desegregated or predominantly white college and for whom a black college would provide a good educational opportunity for them.

* * *

[p. 1028] Q. My question to you is this: In your opinion, – I'm not concerned about someone else's opinion – is an urban community like Oklahoma City, through the implementation of a court-ordered desegregation plan, capable of eliminating residential segregation by itself?

A. Well, the school district wouldn't do it without the help of the City Planning Department, the zoning board, and all the – I mean, if the rest of the city wants the school system – if the rest of the city wants residential segregation, the school system is going to be swimming upstream. But if you put together a concerted effort over the next 50 years of –

I've written –

Q. Well, I think you –

A. – on exactly the things the school district could do to create residential integration, –

Q. I think you've answered my question.

A. Oh.

[p. 1029] Q. You've told me that, standing alone, a school district such as Oklahoma City cannot do that.

A. Okay.

Q. There must be significant effort from all other governmental entities in the community; correct?

A. That's right.

Q. And, in fact, do you know of any court-ordered desegregation plan in an urban community similar to Oklahoma City which has successfully eliminated residential segregation in that community?

A. I don't know any school district which has eliminated all residential segregation, however, I have been quite surprised in this research that I've done with Dianna Pierce and others about the impact in the change.

* * *

[p. 1066] Q. * * * would you agree that parental involvement in the schools has a significant impact on black academic achievement?

A. Yes.

Q. You mentioned the effective schools program, and I think [p. 1067] you indicated you didn't think that we have had time in Oklahoma City to see the results of that; is that correct?

A. Well, I don't know whether you have or not.

Q. Well, what did you testify on direct? Have you analyzed Oklahoma City's effective schools program?

A. No.

Q. So you don't now what impact it's having on academic achievement, do you?

A. No.

Q. Are you aware that this school district has a bilingual program?

A. I would – I would assume – I assumed it had one.

Q. Don't you think that can have a positive effect on achievement?

A. Yes.

Q. Now, we've been talking about achievement. Let's switch gears now and talk about the success of black students in adult life.

Would you agree with me that, besides racial balance in the school, there are a number of factors which can have a positive effect on black adult achievement?

A. Yes.

Q. What are those things?

A. Uhm, –

Q. Occupational training?

[p. 1068] A. Yes.

Q. Personal Character?

A. Yes.

Q. Socioeconomic status?

A. Yes.

Q. Parental support again?

A. Yes.

Q. There are a number of factors; right?

A. Yes. Yes.

Q. And, would you agree that blacks can achieve and become successful when these factors come into play even though they attend schools that are not racially balanced?

A. Yes.

* * *

[p. 1078] Q. * * * do I understand you correctly that when all factors remain constant that the racial balance of the school doesn't have an impact on black academic achievement?

A. I'll agree with that.

* * *

[p. 1093] Q. Well, can you think of any activity outside of school that would have a positive effect on blacks?

A. Sure. Playing games on the same team.

Q. Okay. Anything else?

A. Being in Boy Scouts together.

Q. Anything else?

A. Going to after-school tutoring together.

Q. Okay.

A. Going to church together, or Sunday School, I mean. Not church. Those are things that come to mind.

Q. So you will admit that there are interactions between black students and white students outside of the classroom which, in your opinion, are beneficial to the blacks?

A. Yes.

Q. And allow them to become socially acceptable when they – when they get out of school.

A. Let me just re-– I don't know quite what you mean by socially acceptable. You mean they've learned how to act so they're socially acceptable to white people? Is that what you meant?

Q. Well, that was a poor choice of words on my part.

The point I was trying to make is, as a result of this interaction, they could better socialize with whites when they become adults.

A. Yes, it would be helpful.

* * *

[p. 1097] Q. So all other factors that determine black adult success will be favorably impacted by virtue of busing the children between grades five and twelve?

A. That's correct.

Q. And there will be positive benefits sustained and received by those children at those grade levels?

A. That's right. I believe that's true. Yes.

Q. You also testified that, in your opinion, black – all-black colleges are okay.

A. Yes.

Q. And they produce some – some black scholars.

A. Sure.

Q. But you made the distinction that those are different from elementary schools because it's not mandatory to go to a black college. Is that what you said?

A. Yes. It's not mandatory to go to college at all.

Q. But it is mandatory to go to school.

A. That's right.

Q. Are you aware that in Oklahoma City it is not mandatory to got to a black elementary school?

A. Oh, yes. I know that.

* * *

YALE RABIN

[p. 1125] THE COURT: Wait, what's the number?

MR. CHACHKIN: Plaintiff's exhibit number 60.

THE COURT: 60?

MR. CHACHKIN: With the overlay, plaintiff's exhibit 58-A, over it.

Q. (BY MR. CHACHKIN:) Would you describe what this map is?

A. This map is the distribution of black population by block, 1970.

If I may, I think I should explain the notion of block so that it's clearly understood what the distinction is between a block and a tract.

A census tract is the largest, most conventional unit of data gathering which the census bureau uses, but each tract is divided, depending on whether it's in a rural or an urban area. If it's in a rural area, a tract is subdivided into what are called an enumeration district, an enumeration district literally being the area that's covered during the census by a single enumerator.

In Urban areas, the census tract is divided into blocks, and blocks are – generally correspond to city, individual city blocks, that is, an area of land bounded by four streets, or three streets and a railroad, or a river, but there are clearly evident boundaries to the block itself.

[p. 1126] So we're talking about a great many subdivisions within a census tract. There may be as many as 100 or 200 blocks within an individual census tract. So that this provides a far more precise indication of where people live within the tract than one which deals with the tract in aggregate.

Q. So that's –

A. So that this map then shows that distribution, population by race, by block, for 1970, with the color designations being precisely the same as they were on the 1960 map.

Q. And this map was prepared under your supervision?

A. Yes, it was.

Q. And have you checked it for accuracy?

A. I have. Yes.

Q. Are you satisfied with the work done by your graduate student?

A. I am.

Q. Would you briefly describe the distribution of black population in 1970 as shown on the map?

A. Yes. As the map indicates, there has been a very substantial increase in the area in which blacks live, and evidence of some dispersal of blacks to areas of the city in which they did not live before.

Most of the direction in which that change has taken place has been to the north and east, but there are some evidence of small changes that are taking place elsewhere.

[p. 1127] It may not be visible, but there are blocks in the southwest that now begin to show up as having more than ten percent black population in 1970.

But predominantly the growth is from the areas which were black in 1950. They have expanded in size, and that expansion has taken place largely to the north.

And the other change that I would note that's taken place is that there is also an increase in the intensity, that is, the degree to which the larger black areas are black. That is, one now sees much more extensive areas, both in what I will call the central –

Q. I believe it's been referred to as the northeast quadrant.

A. The northeast quadrant. And I don't know how the area further east is characterized, but both of them show more extensive areas in 1970 which are over 90 percent black than in 1960.

Q. I believe you said a moment ago that there was a change from 1950. The comparisons that you have been making are between 1960 and 1970 on these maps.

A. The earlier map was of 1960. This map is of 1970.

My reference to 1950 earlier was to some of the tract data which I looked at, and that – that information is not reflected on these maps.

Q. Let me change the exhibit to reflect the 1980 map.

Mr. Rabin, we have now placed on the easel underneath the [p. 1128] same overlay, which is plaintiff's exhibit 58-A, a map identified as plaintiff's exhibit 62. Do you recognize that map?

A. I do. Yes. This is the map of the distribution of black population by block for 1980. And, again, it uses the same color indications that were used on the 1960 and 1970 maps.

Q. And this map was also prepared under your supervision?

A. It was. Yes.

Q. And have you reviewed it for accuracy?

A. I have.

Q. And you are satisfied with the work that your student did?

A. I am. Yes.

Q. Is it an accurate reflection of the census information?

A. It is.

MR. CHACHKIN: Your Honor, at this time the plaintiff's would move the admission into evidence of exhibits 58, 58-A, which is the overlay, 60, and 62.

THE COURT: 58-A?

MR. CHACHKIN: Yes, Your Honor.

THE COURT: And this is 60 –

MR. CHACHKIN: 60 and 62.

THE COURT: You've got 60, 60-A, and 58-A, and 62?

MR. CHACHKIN: No, there's only one A. It's 58, 58-A, 60, and 62.

MR. DAY: No objection.

[p. 1129] THE COURT: Then let the record show these exhibits are all received in evidence.

Q. (By Mr. Chachkin) have you reached any conclusions about the pattern or population movement in Oklahoma City from 1960 to 1980 based on your review of the census materials, Mr. Rabin?

A. I have. Yes.

Q. Could you describe or state your conclusions?

A. I can, yes, but I would like, if I can, to go back also ten years, and, frankly, I did that in response to

reading Doctor Clark's deposition, and since he had looked at the population change beginning in 1950, I thought it would be appropriate if I went back and looked also, and so that I can include, in some or these conclusions that I've reached, what those changes have been.

If we go back to 1950, we can see that the black population in Oklahoma City has increased by two-and-three-quarters times between 1950 and 1980. The concentrated areas in which blacks live have also increased over that period of time in both size and intensity, and I think that might be best illustrated by looking at some of the changes which have taken place at the tract level.

If we take, as a reasonable indicator of concentration, – I don't think anybody would question the fact that a tract that was 75 percent or more black is a concentrated black tract. In [p. 1130] 1950 there was one such tract. That was tract 29. In 1960, there were six tracts which were 75 percent or more black.

In 1950, the tract that was 75 percent or more black included 24.9 percent of all blacks; that is, less than a quarter of all blacks who lived in Oklahoma City in 1950 –

THE COURT: 19-when?

THE WITNESS: In 1950, Your Honor.

THE COURT: Yes.

A. – Less than a quarter of them lived in census tracts which were 75 percent or more black. In 1960, that had increased to 69-and-a-half percent of all blacks. In 1970, that had increased to 73.3 percent.

THE COURT: 73-point-what?

THE WITNESS: 73.3 percent.

A. And in 1980, –

THE COURT: How many tracts increased?

THE WITNESS: Oh, I was just giving the population. I'll go through the tracts if you like.

THE COURT: All right. Excuse me.

A. In 1980, that dropped back to 60.8 percent.

Now, spatially, which is a major concern if we're dealing with the desegregation of schools whose locations are fixed by where they were built, the area of concentration has increased very substantially.

As I indicated, there was one such tract in '50, there [p. 1131] were six such tracts in 1960, there were 13 such tracts in 1970, and there were 16 tracts in 1980 which were 75 percent or more black.

Q. (By Mr. Chachkin) Now, did the tracts that were concentrated black, to use your term, that had more than 75 percent black population in them, always included the original tracts, or did they – the makeup of the group of tracts meeting –

A. By "the original tracts," I'm not quite sure.

Q. We start out with the single tract in 1950. Did that tract remain concentrated through 1980?

A. Yes. Yes. All of the tracts, I believe, from each previous decade are included in the group which has expanded during the succeeding decade.

Q. And you referred to the proportion of the population, of the black population living in Oklahoma City.

Are the boundaries of the city and the school district coterminous?

A. They're not, as far as I know.

Q. And do the boundaries of the – the boundaries of the city include some of the areas between the portions of the school district shown on the overlay?

A. I believe they do, but the boundary of the city is not shown on any of these maps. The tracts which I have named, though, are all included within the city.

[p. 1132] Q. Now, Mr. Rabin, you said you had read Doctor Clark's deposition. Are you aware that Doctor Clark testified in this case?

A. I am. Yes.

Q. Have you also read the transcript of his testimony last week?

A. I have. Yes.

Q. Do you recall his reference to 17 percent of the total black population in the concentrated area of black residences in Oklahoma City?

A. Yes, I do.

Q. Do you know what area Doctor Clark was referring to?

A. Well, it was that reference, frankly, which led to this analysis, because the impression one gets from reading the transcript, because the comment is made in a

rather out-of-context way, is that, at present, 17 percent of blacks live in the concentrated area, when, to the best I can figure, what he was actually referring to was the area in 1950, the single tract in 1950 in which, I think –

Let me see if I can find the figure.

Not the single tract. Excuse me. It was –

I've got it straight.

In 1980, in 1980, 16.9 percent of the black population of Oklahoma City lived in the six tracts in which they were concentrated in 1960.

[p. 1133] Q. And is that the same area of concentration that you have defined for 1980?

A. Oh, no. I mean, the – what was the area of concentration in 1960 is not the area of concentration in 1980.

I traced through all of the years the transition which had taken place in those tracts, but it's quite clear that the area of concentration itself has changed, and it's misleading to refer, in each successive decade, to the same six tracts as the area of concentration. That area was only the area of concentration in 1960.

THE COURT: Let me ask you, did you say the concentration was in 16 tracts or 6?

THE WITNESS: In 1960 –

THE COURT: '80. 1980.

THE WITNESS: In 1980, in 16 tracts.

THE COURT: 16. All right. That's what I thought.

THE WITNESS: Yes. One-six. In 1960, in six tracts.

THE COURT: Yes.

THE WITNESS: If you'd like, I can read –

THE COURT: The population that you're talking about, the concentration, and 16 blocks is what percentage?

THE WITNESS: No, these are tracts, Your Honor. In 1950, 24 –

THE COURT: No, no. I've got that.

THE WITNESS: Yes.

[p. 1134] THE COURT: I'm not clear on 1980.

THE WITNESS: In 1980, there were 16 census tracts housing 60.8 percent –

THE COURT: Of all –

THE WITNESS: – of all blacks in Oklahoma City.

THE COURT: How much? 60?

THE WITNESS: 60.8 percent of all blacks in Oklahoma City in tracts which were 75 percent or more black.

THE COURT: Go ahead. I'm through.

A. The – it's also, I think, important that the actual numbers have increased very substantially. In 1950, there were only 5,236 blacks living in this concentrated area. In 1980, there are 35,691 blacks living –

THE COURT: In 1980 there was what?

THE WITNESS: In 1980, 35,691 blacks lived in the 75-percent-or-more tracts.

THE COURT: In 1950 it was 5,000?

THE WITNESS: That's right. 5,236.

A. And the proportion of blacks in 1980 is about two-and-a-half times as great as it was in 1950 living in those areas.

Q. (By Mr. Chachkin) And, again, just so I'm clear, the area of concentration in 1980 continues to include within it or to subsume the areas of concentration in previous decades.

A. That's true.

Q. Do you know if the area of concentration in 1980, as [p. 1135] you've defined it, in the northeast quadrant, includes the area within which most of the schools that are now more than 90 percent black, the elementary schools, are located?

A. Yes, it does.

MR. CHACHKIN: Thank you very much.

CROSS-EXAMINATION

BY MR. DAY:

Q. Mr. Rabin, as I understand it, sir, you have a Bachelor's Degree in Architecture; is that correct?

A. It's a Graduate Degree. Yes. At that time, a Bachelor's Degree, just as a Bachelor of Law at that time, was a graduate – I guess you're a little young for that. But,

before degree escalation and they started giving attorneys JD's for what they gave them Bachelor's Degrees for before, they also gave Architects and Planners Graduate Bachelor's Degree.

Q. So what do you hold, Doctorate in Architecture?

A. No, no, no, no, no, no.

Q. Master's?

A. No. I have a Bachelor of Architecture. That's correct.

Q. Do you hold any postgraduate degrees?

A. I do not. No.

Q. And you are not a geographer?

A. No.

Q. And you're not a demographer?

A. That's quite true.

[p. 1136] Q. And you're not a desegregation planner, are you?

A. I don't know what that means. I have taken part in desegregation planning, but I don't know that there is such a –

Q. You don't hold yourself out as an expert in desegregation planning or preparing desegregation plans?

A. No.

Q. Do you have your vitae in front of you?

A. I do. Yes. I think so somewhere.

Q. As you were testifying, we were going over that, and I note that on 37 separate occasions that you had consulted or done work for the NAACP or the legal defense fund; is that correct?

A. I couldn't tell you. I –

Q. Does that sound about right to you?

A. I have no idea.

Q. Well, I don't think it's necessary for you to count them. It's in evidence.

But would you agree that you do a substantial amount of work for the NAACP legal defense fund?

A. I did, during the late 60's, a lot of work for them.

Q. Did you testify for the NAACP legal defense fund in desegregation litigation in the 1960's?

A. I did. Yes.

* * *

[p. 1153] Q. * * * is that an accurate statement of what was happening in those tracts over time?

A. I assume that it is. I mean, I –

Q. Mr. Rabin, are you aware that –

You've read the court's 1963 decision, have you not?

A. Parts of it. Yes. I have not read it all.

Q. Where the judge talked about the state-compelled system of desegregation?

A. Yes. Yes.

Q. And do you recall the court identifying the schools that were segregated at that point?

A. Yes.

Q. And those schools lie within those tracts on that exhibit, do they not, sir?

A. I believe they do. Yes.

Q. And, of course, if you read that decision, you're aware of the court's mentioning the Shelley V Kraemer decision which outlaws restrictive covenants?

A. I don't recall that. No.

Q. You don't recall that?

Well, can you understand why Doctor Clark concentrated on these tracts, the tracts that were identified as being the [p. 1154] segregated area as of 1963?

A. I'm afraid I don't.

Q. You don't.

A. No.

Q. Well, in 1963, none of these other 16 tracts you've been referring to, except for these, were predominantly black, were they?

A. That's correct.

Q. All of that movement and growth has taken place since 1960, has it not?

A. That's true.

Q. You're not aware of any action taken by the Oklahoma City Board of Education, are you, after this court entered its order in 1963, which caused or compelled blacks to be concentrated in these 16 tracts that you're talking about, are you?

A. Well, but there was a lot of public action. I mean, in tracts – the highway had enormous impacts in 29 and 38.

Q. I understand,

A. There was urban renewal in 26, 29, and 30. People did not simply get up and move.

Q. But my question was, Mr. Rabin, –

A. Many, many people were moved.

Q. My question, Mr. Rabin, was with regard to the actions of the Oklahoma City Board of Education. Are you aware of any action that the board took, after this Court entered its decree [p. 1155] in 1963, which compelled blacks to live in those tracts or any of the other 16 which you've identified as predominantly black?

A. I'm not. No. No.

Q. Okay. And I'm certain, as an expert in this area, you're familiar with the laws that have been passed across this country tearing down the past governmental barriers of discrimination, are you not, sir?

A. I'm familiar with the laws that have been passed. I'm certainly not familiar with them tearing down the barriers of past discrimination. They've outlawed many of the past discriminatory practices.

Q. They provide remedies for it, don't they?

A. And they have provided remedies. Yes.

Q. What factors do you believe determine where blacks in Oklahoma City live today?

Maybe I can go over these with you.

Would you agree with me that the preferences of black people, in part, are responsible for where they choose to live?

A. In some part.

Q. All right.

A. Yes.

Q. Okay. For example, the blacks that have moved out into these other areas that you showed ten percent or less, –

A. Uh-Huh.

Q. – that's most likely due to their preferences, is it not?

[p. 1156] A. I would assume so. Yes.

Q. And would you agree with me that their socio-economic level would play a part in where they decide to move to?

A. It would play a significant part in whether they could move to begin with.

Q. Yes. And also where they elect to move; right?

A. That's true.

Q. You said that you had seen no evidence that blacks within this area here had relocated.

A. Well, I – that's not what I said. I said it was not possible to determine, from the census data, whether a person living in a formerly all white tract, a black person living in a formerly all white tract, came there from an inner-city tract in Oklahoma City, or whether that person came from Los Angeles or Denver or Philadelphia. The census doesn't tell us that.

Q. Did plaintiff's counsel show you defendant's exhibit number 7?

A. No. No, I –

Q. That has been admitted into evidence, Mr. Rabin, –

A. Uh-huh.

Q. – As a map showing the relocation of black families from the northeast quadrant into other areas in the district. This particular map shows families with kindergarten children in school year 74/75 who, by 75/76, relocated.

A. Uh-huh.

[p. 1157] Q. And each line here has a number at the base, and that shows the number of families that actually relocated from this area out into these various areas.

A. I see. Any – Is there a total somewhere?

Q. You can add them up here.

A. Well, it looks like, – except for the two large arrows in the center, it looks like something substantially

under a hundred out of a population of many, many thousands.

Q. But doesn't this show to you that black children and families living in the Oklahoma City district have, in fact, left this northeast quadrant and moved out into other areas in the community.

A. I have no doubt that that took place.

Q. You said you had – you didn't have any evidence.

A. I said – Mr. Day, I – I said one could not tell from the census, that's all, and one cannot tell.

Q. But one can tell from the evidence, can't they?

A. Yes, or something like this.

Q. Now, this exhibit –

Let me back up just a moment.

While we were talking about 5-D, did you note this footnote that said the proportion of total Oklahoma City black population living in these tracts, 1950 was 82 percent, in 1960 was 84 percent, and in 1980 was 16.8 percent?

A. Yes. I determined those things on my own.

* * *

[p. 1159] buying homes. What the census tells us, the census asks a sample of people in each tract, first of all, whether they lived in the same house – whether they were living in the same house as they did five years previously. If the answer to that question is "no," it then

follows up with questions about whether their previous house was in the same city, in the same country.

* * *

Q. So this 42-percent turnover is not significant to you.

A. No. It would be significant, and I'm sure, knowing how careful Doctor Clark is, that if the data had indicated that these moves represented some substantial distance from where these people had earlier lived, he would have told us that.

Q. Mr. Rabin, how many of the 16 tracts which you identified earlier in your testimony are actually located in the Oklahoma City School District? Those are the 16 tracts that contain 75 percent, I think, of the black population in 1980.

A. I cannot answer that. I can give you the numbers of those tracts.

* * *

[p. 1191] But it's also true about these achievement tests. The scales aren't uniform. It's easier to gain at the lower level – lower part of the scale than it is the higher part because the items are easier.

So, in addition to the comments that were made yesterday about the – the norms on the tests which make it difficult to make year-to-year comparisons, I just noted that, also. Lots of schools are using these tests, but it's very difficult to know what to do with the results.

We all know that socioeconomic status is correlated with the test results, and sometimes I think the problem is that the tests are better at measuring socioeconomic status than they are at measuring achievement.

Q. So would – would you try to draw conclusions about the effectiveness of a program alteration that was made in the last year or two on the basis of –

A. I don't believe it's possible to draw conclusions like that.

MR. CHACHKIN: Thank You. You may cross-examine.

CROSS-EXAMINATION

BY MR. DAY:

* * *

[p. 1192] Q. Would you agree with me that no compulsory desegregation plan is designed to operate forever?

A. You're question is, is a compulsory desegregation plan designed to last forever?

My answer to that question is, "No."

* * *

[p. 1196] Q. Doctor Finger, would you agree with me that, when one is designing a compulsory desegregation plan, and particularly talking about pairing and clustering schools and busing children to and from those schools, that it's important to take the age of the child into consideration when formulating the plan?

A. Yes.

Q. And when you originally prepared the – your plan, which is called the finger plan, and it was approved by the court in 1972, you recommended exempting kindergarten students from busing, did you not?

I'm – I'm not quite sure exactly what my recommendation was. I've been trying to recall.

I believe that what recommended was that – an option be given, that the – either children could – either kindergarten children would be bussed or not, and it might depend upon the circumstances, whether it was an all-day kindergarten or a part-day kindergarten.

* * *

[p. 1198] Q. You're aware, of course, that in 1971 that the percent of black students in the district was 23 percent and that by 1985 it had increased to 39 percent, and that, on the other hand, white student population in '71 was 76.6 percent and by 1985 it dropped to 49.6 percent?

A. Yes.

Q. So we had – after the Finger Plan was implemented, we had a situation where the percent of black population within the student body was rising and the percent of white population was dropping.

A. Yes.

Q. And, in light of that change over time and demographic changes, do you feel that it would have been equitable to modify the plan to equalize the burden?

A. Well, I would have – I would have expected that – that the original plan would have been quite extensively modified. I – I didn't expect to find the fifth-grade centers still in existence. They were, I thought, something that was put in as kind of temporary thing.

I guess I would have expected to find that the fifth-grade centers had been incorporated into – into middle schools, and I was really surprised when I find that the fifth-grade centers [p. 1199] are being kept and moved out of the minority neighborhoods where they were originally put to provide some equity for the minority students. I was surprised about that, and I would have thought some steps were taken.

But then a lost of things happened that – that people didn't anticipate, that they – that our cities would become

more minority, that the birth rates would change, that the number of children – number of white children in cities would change. A lot of things have happened since 1972. The world today is not the same as it was in 1972, and – and very drastic changes have taken place, and I – I know it's been very difficult for the school board and the school department to contend with all of these differences that occurred, and – and I can see that these decisions are really tough. But –

So the question is, did I think they should have provided more equity, well, I would have thought they would have been looking for ways to make the whole system work more efficiently, so people would be more satisfied with it, so people would say, "Oh, our schools in Oklahoma are good? We're running good schools. We want to go to those schools." But I guess what happened was that the changes came about so fast people just couldn't do all those things.

* * *

[p. 1201] Q. Have you had the opportunity to review the stipulations and contention of the parties in the pretrial order?

A. Well, I – I'm not sure. Try me, Mr. Day. I may have.

Q. Well, let me try to simplify this, Doctor Finger.

In other words, are you aware that in the plaintiffs' contentions in this case, that they are acknowledging the [p. 1202] problems that the stand-alone concept created? Are you aware of that?

A. Yes, I am. I criticized them a little bit for that.

* * *

[p. 1207] Q. * * * Now, do you see any schools that are going to be 90 percent or more white next year on that page?

A. No.

Q. Do you see any schools that are going to be 90 percent or more white on page two of that exhibit?

A. No.

Q. So would you agree that there are no racially, as you put it, segregated white schools in Oklahoma City?

A. Elementary Schools. You had just asked me about Middle Schools and High Schools.

Q. No, those were Elementary Schools.

A. Yes, I know. I just wanted to clarify that.

Q. Okay.

A. When you said "Schools," and they talk about Elementary Schools there. My comment had to do with where these Elementary Schools get assigned at the –

Q. Okay.

A. – Junior High – at the Middle-School and High-School level.

Q. But do I understand you correctly that, in your mind and in your opinion, there will be no racially segregated white Elementary Schools next year?

A. Well – well, I just want to call your attention to the fact that we've changed the rules a little bit.

Q. How have we changed the rules?

[p. 1208] A. Well, we had been talking about percent black, and there will – now we're talking about percent minority. So we just need to make it clear, there will be – there will be a lot of schools in – in Oklahoma City next year that have less than ten percent black students in them, but there won't be any schools that have less than ten percent minority in them. So we should just be sure that we're talking about the same thing.

Q. Well, I understand what you're saying, and I appreciate it, and I happen to agree with it.

But my question, Doctor Finger, to you was that there will be no segregated white Elementary Schools next year.

Q. There will be no schools that have less than ten percent minority, but there will be schools that have less than ten percent black. How you label these as segregated or not is what the words mean, and segregated has always been a difficult word.

* * *

MARY LEE TAYLOR

[p. 1216] MR. CHACHKIN: Your Honor, we offer Doctor Taylor as an expert witness in social psychology and the study of race relations and racial attitudes.

THE COURT: Let the record show that Ms. Taylor is qualified in the subjects mentioned by counsel as an expert.

* * *

[p. 1225] A. * * * But I think the important point is that the – the Finger Plan did not eradicate the impact of the earlier official discrimination; it merely suspended it

by separating the schools from the residential situation. And now that the schools are linked again to housing, we have, again, the impact of the earlier official discrimination in the schools.

Q. But you – you did say that you were aware that there had been some shifts in the distribution of black population; is that correct?

A. Yes. I know that the black population has declined in some particular areas. I also know that black residents of Oklahoma City have moved into areas that formerly were entirely white, were virtually entirely white.

It seems to me an important point here is that the reciprocal change has not occurred. White residents of Oklahoma City have not moved into the area that was historically, traditionally black, and so the primary significance of the movement we've seen is that there are fewer black residents in the black residential area than there would have been had there not been some movement into white areas.

* * *

[p. 1229] Where Doctor Clark and I disagree is in our view of the genesis of the economic and – economic factors and preferences. He sees them, as I understand him, as incidental individual matters, and I think this view suffers from taking – from having a limited perspective on the impact of discrimination over time.

In fact, I think that economic resources and preferences are proximate causes of residential segregation, but they are also effects of past officially-produced residential

segregation. In that sense, they're intervening links. They help to explain why the black residential area, once it was created through official segregation, continues to exist even in the absence of continuing official action.

I think your question here is an important question because, once the black residential area in Oklahoma City was created, there are only – in fact, only two ways in which it could show fundamental change. One of those ways is if, indeed, there were a complete abandonment of the community, and I think this is unlikely to happen, and it's unlikely to happen, in part, because of the barriers to residential mobility among black Americans that I just described. For that abandonment to take place, there would have to – residential mobility would have to be a viable option for all [p. 1230] black residents, and I don't believe it is.

Q. Is there – I'm sorry, you said there are only – so that's – so that would be one of the ways?

A. That's right. One of the ways in which there could be fundamental change in the black community would be – would be for it to be abandoned.

The other fundamental change that might take place, in theory, is that white residents might move in. I think there's a lot of evidence that that is not likely to happen. We know that it hasn't happened.

Survey data shows that white adults are very sensitive to racial proportions, they are typically unwilling to go into situations where they will be in the racial minority.

Survey data was gathered late in the 1970's indicating that 84 percent of whites said they would not move into a neighborhood that had a bear majority of black residents, and the researchers that analyzed that data estimated that no whites in their sample would have agreed to move into an area that was virtually 100 percent black.

This kind of conclusion is congruent with other opinion, national opinion poll data. In my own data, white college students said they would not move into a predominantly black neighborhood even if the home involved was equal in its physical accommodations to what they could acquire elsewhere.

This unwillingness of whites to move into a predominantly [p. 1231] black area is often, in fact, taken as a given and used as the explanation for racial transition. It's assumed that whites will find the – find being in a minority so aversive that, once they fear they may some day be the minority in a transitional neighborhood, they will move.

I might add that the poll data shows that whites are more reluctant to move into a neighborhood within a given proportion of black residents than they are to stay in a neighborhood that attains that proportion of black residents. So most of the data that I rely on is conservative in some sense. I mean, it – as applied to the situation of whites potentially moving into a black area, we have to raise the percentages even more, although you can't raise – you can't really – there's already a ceiling effect.

With all – with all this evidence that white – white residents are not going to move into historically black

areas, it's very difficult to see where – how some transition to a racially mixed neighborhood would ever begin or continue.

Q. And when you were talking about the – what you referred to as the perpetuation of segregation phenomenon, I understood you to suggest that what Doctor Clark regarded as preference was tied to a history of official discrimination and segregation.

Is that also true of the – the white aversion that you've described to moving into established black neighborhoods?

[p. 1232] A. Yes, I think there's a lot of evidence that white attitudes about desegregation are, in fact, shaped by the history of segregation that those whites have been exposed to.

There's a well-documented phenomenon, called the fait accompli phenomenon in the literature. Public opinion shifts to follow existing policy, to accept existing policy as it continues, and public opinion, in fact, changes when policies and leaders change.

This can be a force for progressive transition, but in places like Oklahoma City, where the black neighborhood was created by state action, the involvement of public officials, the fait accompli phenomenon implies that white avoidance of desegregation would be particularly great for that reason. In other words, the official segregation encourages attitudes that segregated – segregation is appropriate, justified, that it's undesirable, in fact, – would be undesirable for whites to live in predominantly black neighborhoods.

Attitudes then are, in part, shaped by the institutional history, the history of official discrimination, and then, of course, those attitudes have an impact on future policy, they feed back in making it more and more difficult to change policy in the future.

The – we've certainly seen, in the case of segregated schools, that there was considerable white attitudinal resistment – resistance to change from segregated to desegregated [p. 1233] schools, and it took a lot of official action and continuing official action to remedy that.

* * *

Q. (BY MR. CHACHKIN) Doctor Taylor, I think when we broke you were discussing the extent to which white attitudes are tied to a background of official discrimination.

A. That's right. I had talked about the fait accompli effect and the fact that I believe white attitudes are, in fact, shaped by the history of discrimination.

I might note, in addition, this is another place where Doctor William Clark and I agree about some of the facts and do not share our perspective on those facts. We – we are in agreement that white preferences are a factor that will – that – a factor involved in explaining why whites have not moved into the predominantly black residential areaa [sic] in Oklahoma City.

[p. 1234] Where we disagree, I believe, is that Doctor Clark apparently sees those preferences as individual, incidental factors. I see those preference as being shaped by the history of discrimination in the area.

Q. Now, earlier, when you were talking about factors that limited residential mobility of blacks to leave the established black area, I asked you about the impact upon that of the years during which the Finger Plan was in effect here.

Let me ask you the same question with respect to white racial attitudes which you've said are heavily influenced by past discrimination.

What was the impact of the elimination of the current effects of that discrimination as the school enrollments, at least, during the time that the Finger Plan was in effect, did that – would that have been something that would have changed attitudes?

A. Well, of course, to my knowledge, we don't have evidence on – about the impact of the Finger Plan period on white attitudes in Oklahoma City. One would hope that it changed white attitudes about school desegregation to some extent.

It evidently did not change white attitudes about residential segregation enough that we have seen any tendency for white residents of Oklahoma City to move into that predominantly black area, and – and I think that that is not surprising, in fact, given the long duration of the official discrimination [p. 1235] that preceded the Finger Plan.

Also, it seems to me that the Finger Plan itself acknowledged that there were limits to the sort of overnight change that could be created in white attitudes in the sense that the schools in the black residential area were made fifth-grade centers. My understanding of that

is that it was anticipated that the white community would be more receptive to the plan if, indeed, the children at the younger grades were not assigned to those schools in the historically black area.

So in the Finger Plan itself there seems to have been some accommodation, some acceptance, if you will, of the limits of overnight attitude change among whites.

And you might notice – I've seen the data on requests for – the recent data on requests for school transfer, and, here again, we do not see large numbers of white parents requesting transfers for their children that might be transfered [sic] into predominantly black schools. Again, there's no evidence there of an accute [sic], positive impact of the Finger Plan history on white attitudes.

Q. You're talking about the exhibits that were presented regarding majority-to-minority transfers?

A. That's right.

Q. Let me ask you, in conclusion, if you could, just to briefly summarize again your overall view of the connection between the racial composition of schools in the northeast [p. 1236] quadrant today and the various kinds of discrimination that existed in Oklahoma City in the past and particularly prior to 1972 when the Finger Plan was ordered into effect.

A. To summarize, in 1965 the court noted that the segregated schools and residential area were a product of official discrimination. I believe that the segregation in the residential area has continued to show that impact of official discrimination. It's continued to show that

impact, in part, because of the barriers to black residential mobility out of the area, – I talked about that – in part because of white avoidance that itself was shaped by that institutional history.

During the – during the Finger Plan, in fact, the impact of that earlier official discrimination on the schools was interrupted, but now that the link between housing and schools has been resumed, in my view the impact of the earlier official discrimination is now reflected in the schools, as well.

Now, I think that the black children whose families have moved into what were formerly all-white areas will benefit from the desegregated school experience they receive.

I'm – I think it's fortunate that there are not more black children left in the predominantly black residential area to experience the segregated schooling that they will receive, because I think that those children in the 98 and 99 percent black schools in the – in the historic black residential area will suffer the same harms of the segregated schooling that [p. 1237] they had suffered before the Finger Plan was implemented, and I think it's a good thing that there are not more of them, that the mobility that's existed has moved some black children out of the area. But I think the number of children remaining in the area is too large. It's too large a number to be paying the price for official discrimination.

MR. CHACHKIN: Thank you, Doctor Taylor.

CROSS-EXAMINATION

BY MR. DAY:

Q. Doctor Taylor, when were you first contacted about testifying in this case?

A. I believe in mid-March.

Q. There past year?

A. That's right.

Q. When was your first trip to Oklahoma City in connection with this case?

A. This week. This week.

Q. This past week?

A. That's right.

Q. And when did you come in?

A. I – I actually spent a few days in the western part of Oklahoma. Flew into Oklahoma City on Friday, traveled out to the western part of Oklahoma for a couple of days, and came back here on Sunday. Uh-huh.

Q. Doctor Taylor, it sounds to me from listening to your [p. 1238] testimony that you have reviewed a substantial amount of the evidence in this case; is that correct?

A. I have – I have certainly reviewed some of the evidence in this case. Yes.

Q. And including prior case decisions and things of that nature?

A. Yes.

Q. You've reviewed the K-4 Plan, the Finger Plan, and those sorts of things; correct?

A. Yes.

Q. Based upon your educational background and your experience and your review of the facts in this case, you don't feel that the Oklahoma City Board of Education adopted this neighborhood plan with the intent to discriminate against blacks do you?

A. I have no evidence of that at all. I did not mean to suggest it.

Q. Well, in fact, when you gave us your deposition approximately one month ago under oath you told us that you found no evidence of intentional race discrimination; isn't that true?

A. I probably said I knew of no evidence. I stand by that. I know of no evidence of intentional – of intent to discriminate by the current school board.

Q. Yes. Okay. And I'm specifically referring to in the adoption of the 1984 K-4 Plan; okay?

A. Uh-huh.

* * *

[p. 1241] Q. *** based on your experience, you do agree that the extent to which responsible blacks are hired in top administrative positions over time can very well have an impact on the institutional racism concept that you've told us about.

A. I think it can. Yes.

Q. And would you tell the court how the placing of qualified blacks in upper echelon positions can have an impact on institutional racism?

A. I think that, in general, placing black individuals in positions of institutional responsibility, for one thing, sends out a message that that kind of position is appropriate and attainable.

It can – although it does not necessarily – it can also represent – bring about changes in institutional policy. There are all kinds of examples where, indeed, the incorpora- [p. 1242] tion of minority groups – blacks, other racial minorities, women – has brought about a change in the policy of institutions, and there are also a lot of examples where that incorporation has not brought about a change in the policy of the institutions. So I think that's by no means guaranteed, but it's a possibility.

Q. Well, it's more likely to help than not help, isn't it?

A. I think I would agree that – to that. Yes. Uh-huh.

Q. In your preparations for testifying in this case, were you told or did you read any information which showed that presently in Oklahoma City that there's a black man on the board of education that holds the position of vice-president?

A. I did know that there was a black man with the board of education. Yes.

Q. And did you know that there was a responsible black person. Mr. Vern Moore, filling the position of executive director of personnel?

A. I don't think I have known that until now.

Q. Were you aware that one of the assistant superintendents in the district is black, Doctor Betty Mason?

A. No, I've not known about the racial composition of the assistant – of the superintendent's staff.

Q. So I guess you weren't aware that as early as '71 and '72 and '-3 and '-4 that the Oklahoma City Board of Education placed responsible black individuals in upper echelon admini- [p. 1243] strative positions?

A. I simply had not looked at data bearing on that issue.

* * *

[p. 1245] Q. Now, if, Doctor Taylor, children in Oklahoma City have been bussed continuously for thirteen years into that area and without the result of increasing the white population in that area, would you agree with me that a school board, through the implementation of a desegregation plan alone, cannot bring about change to eliminate that residential segregation?

A. I would anticipate that there would have to be a number of institutional – official policies in addition to a school desegregation plan in order to substantially change an established black residential area that developed through official discrimination.

Q. And when you're talking about additional policies, you're talking about policies by other governmental agencies besides the board of education, aren't you?

A. Yes.

[p. 1246] Q. Now, do you have an opinion, if the court ordered the continued busing of children into that area, if that, alone, even if it were done indefinitely or in perpetuity, could integrate that area?

A. Resident – you mean residentially integrated that area?

Q. Yes.

A. I would not anticipate that a school desegregation plan, alone, would bring about total residential desegregation of an area that had been earmarked a black area during the years of official discrimination.

Q. And if I understood your testimony, you're telling us that there are a variety of factors, aside from action by the Oklahoma City Board of Education, which have had an impact on the patterns of residential segregation in this community over time?

A. Yes.

* * *

[p. 1255] Q. Well, the point I was trying to make, Doctor Taylor, is that in light of the M-to-M transfer option, if a parent so desires, they're not compelled to send their children to predominantly black schools in Oklahoma City today.

A. I understand that – that there is a formal opening for parents to enroll their students in schools outside the neighborhood and that some black parents have used that opportunity.

Q. So those parents are not compelled to keep their kids in predominantly black schools, are they?

A. Those parents are not.

* * *

GORDON FOSTER

[p. 1265] A. * * * The inequitable part that I would perceive at the introduction of the plan was the fact that all of the first-grade – or the fifth-grade centers who were in the black community and the white students, grades one through four, were able to stay in their home base schools for those first four years. Ordinarily when we do a plan we attempt to randomize that so that neither racial group will feel that they're being overburdened in terms of the grade level of which their children are sent away from their home base school.

In this particular plan, what happened was all the fifth-grade centers were in the black community, and all the one-through-four centers were in the predominantly non-black community. So, in a sense, that didn't really remove the racial identifiability of those schools, because everybody knew that fifth-grade centers were formerly black schools, and so that the – the fact that they were black schools carried over, I think, to some extent over that plan. So there was, I believe, some inequality at that point.

[p. 1266] Now, as the Stand-alone feature of the plan, of the so-called Finger Plan, developed those schools that were terminated as Stand-alone Schools over the period of the Finger Plan, I agree with the testimony by Doctor Muse and others that this would have tended to discriminate or be unequal – not discriminate, necessarily – but be unequal to black parents and children because, as a Stand-alone School was changed, – this has already been described in testimony quite a bit formerly – but as

Stand-alone Schools were changed, the black students who had been assigned for the first four years to those schools had to be bussed further distances because the – the schools which were really available were further away from the northeast quadrant.

Q. Let me interrupt you for just a moment. I believe you said – I want to see if you meant to say – I think you used the word "terminated." Are you referring to the introduction or the termination of Stand-alone Schools?

A. I'm talking about the schools that were closed after the plan was started that were Stand-alone Schools and then, because of racial differences, got to the point where they –

I'm sorry. Well, some were terminated, yes, in the 70's. I can't remember the exact figures, but I believe the Finger Plan started with something like nine or ten Stand-alone Schools. And when these schools reverted back to the K-4 or K-5 status, then the black children who were attending those [p. 1267] had reassigned to other predominantly non-black schools.

I'm sorry if I misspoke. I can't pick up the thread of your question.

The other problem that concerned Doctor Muse and the black community was the fact that this Stand-alone feature also contributed to lesser and lesser enrollment in the black schools, and there was imminent danger of their falling below the necessary enrollment to continue as functional elementary attendance centers, and so the black community was continually in jeopardy of losing the schools in their area in the northeast quadrant.

Q. Have you analyzed the – the results of the 1985 Student Assignment Plan adopted by the school district?

A. Yes.

Q. Do you have an opinion as to whether the district is being operated as a desegregated school system under that plan?

A. I do.

Q. And would you tell the court what your opinion is and the basis for that opinion.

MR. DAY: Excuse me, counsel.

Your Honor, I believe that calls for a legal conclusion for which this witness is not qualified.

MR. CHACHKIN: Your Honor, I think if the witness doesn't understand the question he can indicate that.

THE COURT: Yes. Overruled.

[p. 1269] A. * * * Now, if you look at the current year, 1986/87, the ten highest percentage black schools in enrollment, of course, averaged 99 percent black. The faculty assigned to these ten highest percentage black schools in enrollment came out at 48 percent black.

So what we had was, in two years after the introduction of the '85 plan to go back to neighborhood schools, the faculty also increased in the highest black schools 17 percent black.

By contrast with that – and you get an idea of the disparity if you look at the ten lowest percentage black

schools in enrollment in 1984/85 before the plan. Their enrollment averaged approximately 20 percent black. The faculty assigned to those schools was 24 percent black, which is about six percent beneath the black schools, and the next two years, for the current year, 1986/87, the ten lowest percentage black schools in enrollment dropped from 20 percent black to six percent, and the faculty assigned also dropped from 24 down to 20, which means that, essentially, that under the 1985 plan implementation, the blacker schools in enrollment became much blacker in percentage black faculty, while in the schools with the least black enrollment, the faculty becomes [p. 1270] less black.

Q. Are those findings consistent, in your opinion, with the operation of a desegregated school system?

A. No.

Q. Andy why not? What – what are the conditions that –

A. Well, one of the factors which makes you desegregated or segregated is your faculty assignment or your faculty composition in each school as well as your student assignment or your student enrollment, and, to the extent that faculty becomes – a school is racially identifiable by virtue of its faculty assignment, then this further makes the school segregated or desegregated. And I'm simply saying that there was a trend, since 1985, for this to become more of a problem.

* * *

[p. 1275] Q. And again, I just want to be sure it's clear for the record, you're satisfied that the exhibits

accurately reflect the date from the sources that are identified in the exhibits.

A. Yes. I checked those.

Q. And you received those exhibits from counsel?

A. Yes.

* * *

Q. (BY MR. CHACHKIN) Now, Doctor Foster, you – in describing the last four of those exhibits that dealt with faculty, you talked about patterns of assignment.

You've been here through the defendant's testimony concerning the new board policy in administrative procedure concerning faculty assignments and affirmative action goals at [p. 1276] individual schools; is that correct?

A. Yes.

Q. What's your opinion concerning the new policy and procedure in light of – how is that going to affect the patterns that you've noted in your own analysis?

A. In my opinion, if these are followed out in a fairly short time, they should be productive to the extent that all schools would – would be in line.

Pardon me a second while I get my file.

According to the policy in the affirmative action plan, my understanding is that their goal – which is a goal and it's not a quota or anything – is based on having 36.9 percent black, and then assignment – and evidently both assignment and employment would be based on that,

with a leeway of plus or minus ten percent in terms of compliance.

I'd just simply like to comment that I think the assignment part will be a little more difficult, because their labor force right now at the elementary level, for example, is only around 30 percent, or a little less, black, which means that you have a gap there of about seven percent, which makes getting the schools in compliance a little more difficult.

Other than that, I think if the personnel services as the board adopted the policy signs off on all transfers and employment and they won't approve them unless they're in line with the goals that are outlined in the policy, it should work [p. 1277] out.

It's not that far off as it is right at the moment, but there are trends and discrepancies that have been obvious the last couple of years.

* * *

[p. 1278] A. All right. I prepared an initial draft of a plan which was finished about the 15th of April, and this had both plan A and plan B in it, and, since we were under time constraints, I simply did this in longhand and sent a copy to New York, and I understand it was then transferred to – a copy was sent to Oklahoma City.

The major purposes of the plan as requested by the plaintiffs were to be more equitable in terms of the burden of busing; to desegregate all of the eleven predominantly black schools, the ones that were 90 percent, if that was feasible; and to eliminate the stand-alone schools, in terms of the concept of stand-alone schools, as much as

possible, that feature of the finger plan that seemed to have difficulty.

Then I set out certain criteria to be followed, which are contained in the desegregation proposal, which is plaintiffs' Exhibit 57. Those include the usual type of criteria that you make for developing a plan.

For example, "A" says that kindergarten students would not be included in re-assignments. "B" says that the six elementary schools located in the discontiguous Arcadia and Star Spencer areas would not be involved in student reassignments. An attempt to would be made to treat reassignment and transportation of students at different grade levels equitable.

Long-accepted techniques for desegregation would be [p. 1279] utilized, including pairing and clustering, which, or course, would involve transportation.

That the grade structures in the plan would be based on an even split, which was either K-2 or K-3 and -4, or with the schools that were not reassigned would be left as K-4 schools. So, in other words, all schools would be somewhere within the framework of a K-4 situation except some of them would be only two grades and kindergarten.

Another criterion was that I would not attempt to do anything about closing schools, although it appears that there is capacity enough in the district to probably close some more schools. I considered this a problem that was – I should not be involved in. That's a board decision, and we would simply take the seven schools that were originally proposed, originally eight, because Edgemere

was in the original list, and operate on the basis that those would be closed, and that was it as far as closing.

And then transportation should be minimized as much as possible, which is always a part of a plan, and it should be – in terms of time and distance, should be feasible, that is, in legal language of the court, it shouldn't be so far or so long as to be detrimental to the student's health or educational well-being.

Okay, then with those criteria, and understanding the purpose of the plan, I developed the first draft, which I said [p. 1280] was in longhand.

Shortly after this, I think about a week later, I received from the plaintiffs' attorney three suggestions for my consideration in the final planning. One was that Zone 910-B, which is a noncontiguous zone to Columbus, be reassigned back to Rockwood. This zone contained – it's really a subzone – contained 32 black students as of last year, 14 non-black, and 13 kindergarten. And the suggestion was that if you paired or grouped Columbus the way it was set up, you would be sending black children, predominantly black children – I want you to understand it's a mixture, because 32 black and 14 non-black is not all black – but you would be sending a group of predominantly black students to a black school in a grouping situation.

Then another suggestion was that the Coolidge-Polk Fair be changed to Coolidge and Edwards, and the suggestion – the reason for that was that you would save them approximately a mile in terms of transportation, because if you look at the northeast quadrant, the Polk

School is about a mile or so north of Edwards, and this would make the pairing a little closer.

And then, if you did that, you would have to change the grouping of Lee, Wheeler, and Edwards, which was in the original document, to Lee, Wheeler, and Polk. So I took those under advisement.

Then in April 29th, 30th, and March – or May the 1st, I [p. 1281] came out to Oklahoma City for the second time – I'd been here earlier for three days – to specifically check the time and distance of these clusters, which I did, and I have a complete record of each cluster in plan A, and most of them in – the longer ones in plan B, in terms of how I got from one school to the other and what the mileage was and what the travel time between the two schools was, and I will talk about that later when I discuss the transportation called for by the plan.

While I was here and went from one of these schools to the other and looked again at the distances, I decided that the suggested change from Coolidge-Polk to Coolidge-Edwards, which, of course, also involved the Lee-Wheeler-Edwards cluster in the first plan, was a reasonable one, and I went with that in my revised plan.

In the meantime, the decision – about that time. I don't know the exact date. – The decision was made not to close Edgemere, and the first draft of the plan had been based on closing Edgemere. So we had to readjust the figures for that.

What this involved, in keeping Edgemere open, was to change the Monroe-Putnam Heights-Horace Mann cluster, which was in the first plan, to a pairing between

Monroe and Edgemere, and in both plans A and B this left Putnam Heights and Horace Mann, K-to-four schools and no reassignments in either one.

Then these changes were made, and on May 5th, I believe, [p. 1282] the second draft was completed, and somewhere around – by June the 12th, I had made a final and revised check of all these figures of the second draft. I had corrected the mistakes in them, and there were some in terms of the closing numbers, and I'd added, I think, three or four pages of explanation.

* * *

[p. 1298] What happens under the consummation of plan A in terms of totals, you start with eleven black schools with a one-to-four enrollment of 2,445 blacks, which represents 46 percent of the district total in grades one through four, and that's a fairly heavy concentration in a segregated school. You reduce this under plan A to one black school with a one-four enrollment of 315 pupils, and that is Parker.

So what you're left with is that only six percent of the black children in grades one through four are still in virtually all-black schools.

You also, by plan A, desegregate Western Village from 67 percent black to 45 percent black.

You desegregate North Highland from 90 to 49 percent.

Edgemere, which essentially is close to being racially non-identifiable already, is put in better racial balance from 53 to 36.

And Wilson, which was included originally for reasons I mentioned about Edgemere, is changed from 51 to 29.

In the Northeast Quadrant, you had eight black schools which were 99 percent or more. They're now, under plan A, 26 to 49 percent black.

* * *

[p. 1312] Q. Would you tell us what that estimate is?

A. The continuing costs I estimate, using the board's figures for cost items, only using 85 buses instead of 125, would be $982,712.

The initial cost – and it all depends on the accounting figures you use, but I think it's unfair to say that it costs five million dollars the first year, because I realize if you go out and buy the buses, you have to either borrow five million dollars, or whatever it costs, or have the money in the till, and the common way to do this, though, is to amortize it, as they've done in continuing costs. And all I'm saying is you do – if you buy all new buses with cash, or however you do it, you do have a start-up figure which would be their figure of 5,400,000. By my way of reckoning, reduced from 125 to 85 buses, which would be a factor of .68, which would run you out around three-and-a-half million, something like that.

In any event, the only difference, if you amortized the costs with the first year instead of counting the lump sum, you would have routing costs initially of something like 13,500, which is in their figures, and I can understand that. Except for that, –

Well, the routing costs go on year to year, according to their figures, but they also have the first year – well, the figures are changed, but initially they had $910 for recruitment, training, and drug testing of new drivers. I [p. 1313] think that's a – certainly a legitimate cost, and they've included that in their other figures for the second revised document.

So, essentially, what we're talking about is continuing costs using board figures, with a different number of buses, or $983,000 a year, roughly, and the first year costs, without the new buses, would be $1,060,000. You can treat the costs of the new buses any way the district does that. I don't know how they – how they operate that.

* * *

[p. 1351] Q. * * * weren't you surprised when I told you there were no 90 percent white schools in Oklahoma City?

A. I can't remember. I might have been.

Q. Question on page –

[p. 1352] A. But I agree that there aren't any. I mean, I've sat through the testimony several times.

* * *

[p. 1367] Q. You don't feel that they are more susceptible – you know, they're not fully developed.

A. I don't feel anything at all to that extent. I think that young children, in many cases, weather the busing much better than some of the older children.

Q. Well, let me – let's change the subject.

Are you aware, Doctor Foster, of any compulsory desegregation plans in the United States which exempt first and second graders from compulsory busing?

A. I think in the testimony this week somebody said that Dallas now exempts first and second grades, maybe third. I can't remember. But –

Q. I'm asking for your opinion.

A. Well, I don't know. As a matter of fact, I worked as a witness in the Dallas case, but that's happened since I was there, and I haven't seen the latest revision.

Q. You were –

A. I mentioned in my deposition that there were two that I understood, but I didn't know for a fact. One of them, I think was Tuscaloosa, Alabama, and the other one was probably Richmond County, Georgia.

[p. 1377] Q. Well, let's look at Quail Creek.

A. All right.

Q. That's the first pair in the northwest area. You show six percent black, and it was actually 13.1 percent black; is that what you find there on Exhibit 64?

A. That's right. And both figures would be racially-identifiable white. Or non-black, I'm sorry.

Q. Okay. Let's talk about the cluster involving Gatewood, Hawthorne, and Wilson. It's cluster four on page 12.

A. All right.

Q. Now, there you have – you're not clustering these schools with a 90 percent or more blacks school, are you?

A. No.

Q. And two of these schools, Gatewood, which is 29 percent black, and Wilson, which is 51 percent black, fall within your own definition of non-racially-identifiable schools; is that correct?

A. That's correct.

* * *

RECORD, VOLUME IX

[p. 1387] Q. So if the faculty at any school then is between 26 percent and 46 percent black, the Board's in compliance with its affirmative action policy.

A. That's right.

Q. You indicated, I believe, that you thought the goal set by the Board was rather high, in that the goal was 36.9 or -8, or whatever you said, and actually, at the elementary level, there were only –

What percent black teachers?

A. Well, I think it's around 30 percent, but I didn't – I don't believe I said it was rather high. I just said it was a little more difficult to get into compliance if your goal is six or seven percentage points higher than the actual number of teachers.

Q. Well, do you feel that's an admirable goal, I mean, to set it higher than the number of teachers you have –

[p. 1388] A. I have no problem with that.

Q. – for the purpose of recruiting minority teachers into the district?

A. Right.

* * *

Q. Now, in your preparations for this case and your review of all of the evidence and considering all of the testimony you heard while you were sitting in court over the last seven days, you have seen or heard nothing

which would indicate to you that the faculty assignments for 85/86 and 86/87 resulted from an intent to discriminate on the part of the Board of Education.

A. I wouldn't say so. No.

[p. 1389] Q. You wouldn't say so what?

A. That it had a tendency to discriminate. They simply slid a little during that period, and, as I see it, the Board is now getting them back into shape.

Q. But do I understand you correctly that in your opinion the Board took no action that discriminated against the faculty to bring this about?

A. I would say so, yes, that they didn't.

* * *

CLARA LUPER

[p. 1403] Q. Did you observe any harmful effects of busing on your child?

A. Of course not. My child was excited about riding the bus, because it's something about riding a bus that's exciting. Now, those of you that have never walked to school cannot understand what I'm talking about. It's a matter of learning even while you're riding a bus. Shelley read signs, and what have you. Yes.

Q. Did she suffer any negative academic effects from riding the bus?

A. She has just received a letter from her Superintendent of Schools, Doctor Steller, in which he congratulated her for her academic achievement on her test.

She is now participating in a program known as JIM at Northwest Classen, and most of all, she participated

recently in a pageant with teenagers from 13 to 17, and on July the 19th, she will be going to the Virgin Islands, where she will represent the State of Oklahoma.

Not only that, in the sixth grade, under her teacher that she loved so dearly, she won the History Fair and became the only student in the Oklahoma City School System to represent Oklahoma in Washington DC at the History Fair.

* * *

[p. 1412] One ol [sic] them is that there were burdens on black students under the Finger Plan, that is, disproportionate burdens of busing.

Are you aware of those disproportions in busing?

A. Yes, I am aware that there were more blacks bussed than whites.

* * *

Q. (BY MR. SHAW) And what was your view of the equity of those burdens, or the distribution of those burdens?

A. Well, I felt that if it was okay for black children to be bussed, it was certainly okay for whites, because, to me, that's – what's good for the goose is good for the gander.

Q. Well, in light of that, do you think that the school board's proffered reason for the – for going to the Neighborhood School Assignment Plan, that is, leaving the burden of busing on black children, justifies –

A. No, I – no, I don't.

Q. Why not?

A. In the first place, if we are talking about relieving the [p. 1413] burden of children, then I feel that the Board of Education should have looked at the reasons and tried to find –

Just like you do when you go to the hospital, something is wrong with your hand, you don't work with anything but the hand.

And if the problem was busing, then I – and this is certainly my thinking – I thought that the Board of Education should have done some studies and should have done some extra work on how – what kind of plan they could work out where both races of children would have the opportunity to bus.

Q. Now, Mrs. Luper, one of the other reasons that they proffered in support of the plan is that there were benefits of neighborhood schools, and, in particular, that the neighborhood school assignment plan would help academic achievement, – you've spoken to that already, I believe – and it would increase PTA/PTO involvement.

Do those reasons, in your view, justify the implementation of their plan?

A. I was invited as a guest at the Longfellow PTA meeting last year. There were eight parents there.

I went to Jefferson Middle School, and some techniques had changed. For example –

Q. When did you go to Jefferson?

A. I went to Jefferson early last year. Probably October. I don't know. During the last school year.

[p. 1414] I noticed – I mean, at Jefferson Middle School, they sent out invitations to the parents about open house and PTA, or PT – PTA.

I went to Jefferson on open house, like hundreds of other people, to see about their kids. That's the number one. While we were there, the PTA representatives were in the halls, and we paid our membership dues.

But since that day, I have not received one letter or one note stating that there would be another PTA meeting. I have been –

Q. I take it then that you are listed somewhere as a PTA member though.

A. Oh, I'm a PTA member, not only there, but some other schools.

I have a granddaughter in Harrison School, and I think they have a very effective PTA. But it's mixed in with school activities.

The same way mine is at John Marshall. We took out PTA memberships at open house, which was an advantage.

Q. Was that done prior to the implementation of –

A. Yes, we have always done that, so we've always had large memberships.

At Edwards Addition, I've been told by Mrs. Hunter, who had some children there, that –

MS. JONES: Objection, Your Honor. That's hearsay.

[p. 1415] THE WITNESS: Oh, okay. You're right.

THE COURT: She's through now. Go ahead.

Q. (BY MR. SHAW) Now, during the presentation of the school board's case, the school board put on a number of black school board employees, and counsel for the school board would ask them, "As a black person, do you think the school districts plan is discriminatory?" And they said "No," And – or whether the school district was unitary, and they said "No."

Are you aware of the various positions taken in the black community on the Neighborhood School Assignment Plan?

A. Yes, I am.

Q. What is your understanding of those positions?

A. Once again, those positions are based on who you're talking to. Throughout history, we have had people that have always been able to correct – to protect their interests.

I noticed with a great deal of interest the employees of the Board of Education that were – that have testified here, but I have also noticed that those employees have never been involved in anything in this city to change conditions of black people. Now, I've noticed that, and that's really important.

The attitude of people in this community, first, was neighborhood schools. There were a lot of people that did not understand that their children were going back to predominantly an all-black school.

* * *

MELVIN PORTER

[p. 1431] Q. Senator Porter, the school district has proffered a number of reasons that they have implemented the Neighborhood School Assign Plan grades K through four. I want to just take you through those reasons and ask you a few questions about them.

One is that they will relieve the burdens on black school children. In your view, does that justify the implementation of the Neighborhood School Plan?

A. No.

Q. Why not?

A. Well, black children have basically always had a burden. When they talk about the burden of busing, I think that it's unfair to put the entire burden of busing on the shoulders of the black youngster.

I cannot believe that this school board cannot come up with a plan that would call for the integration of a total system. They're dealing with less students than they've ever dealt with before. They certainly have the same tax base that they have had from the inception to generate funds and support their school system. There does not appear to be any reason that they could not – to say that busing, itself, is a burden appears to be a rather ridiculous argument.

I don't know of black parents that are up in arms and alarmed about the busing. Of course, many people would like to [p. 1432] take the line of least resistance and say, "I've got my boy walking across the street to school." But my children were bussed, and it was not that much of a burden.

We have never had, in this community, any hue and cry in any organizational meeting or structure from black parents who were screaming out the busing issue. I think that has been blown completely out of proportion.

Q. Well, there were people in the black community who are concerned about a one-way plan, –

A. Yes.

Q. – Weren't there?

A. Of course.

Q. And there were people concerned about the threat of school closings than the black community?

A. Of course. And let me address that issue.

In almost every single community in this state where integration has taken place, the black schools, particularly in the smaller cities, McAlister, Lawton, Muskogee, Okmulgee, many of these are areas of the state, have closed.

Now, what does that do? That hurts that community. I'm talking about the black community. You don't have an educational facility there. The buildings are dilapidated. They're either sold off, they're – they're used for community centers, and then shortly they're completely abandoned altogether.

[p. 1433] That's the feeling in the black community here in Oklahoma City. We don't want to see schools closed. We want to see schools kept open, and the – the threat of the present plan to the black community was that these schools, in fact, would close unless we

accepted that plan, and that was – that was of great concern.

Q. Senator Porter, the school board has said that there are benefits to neighborhood schools, one of the benefits they proffer is that there will be increased academic performance on the part of students who are not bussed.

Do you think that that rationale justifies the implementation of the K through four neighborhood school assignment plan?

A. I do not. I think it – rather, I think it indicates that, you know, a good teacher ought to be able to teach students whether they are bussed or whether they are not bussed.

Are they saying that because a child gets up 30 minutes earlier or an hour earlier that their learning process has slowed down?

Children are bussed in the Mid-Del School System, they are bussed in the Edmond City School System, they're bussed in Putnum City. I see big yellow buses running all over this county. Are they saying because those students are bussed they can't learn? I can't believe that that has any validity to it at all.

[p. 1434] Q. What about the rationale that PTA/PTO involvement will increase? Does that justify implementation of the Neighborhood School Assignment Plan in grades one through four?

A. Well, I don't think it does. As a matter of fact, from what I have been told by people within the Oklahoma City School System, I'm talking about their personnel, PTA's functioned when this plan – when Judge Bohanon's decision initially was put into play, it functioned very well.

For example, at – I believe it's the Edwards School where – where I lived, and I lived in the Edwards Addition. In talking with Mr. Cudjoe, who was the principal of that school, he indicated to me that they had very wide-range participation. White families were coming into the black area, for several reasons, from what we were told.

They were coming, number one, to see whether or not there were the proper tools and equipment and teachers there to teach their children.

Number two, they were coming because they wanted to make sure that their children were safe in, quote, an all-black community environment, and indicated that their participation was somewhat greater than that of the participation of the black parent, because the black parent did not have some of those fears.

* * *

WILLIAM ALFRED SAMPSON

[p. 1454] Q. And, for the record only, Doctor Sampson, you are a black sociologist; is that correct?

A. I am black and I am a sociologist.

Q. All right. Thank you.

Specifically, have you studied the factors which impact on academic achievement for children, particularly minority children?

A. I've – yes.

Q. In your professional opinion, and given your training, experience, and research studies, what do you think are the best predictors of academic achievement in children?

A. Well, there's a simple answer and a complicated answer.

The simple answer is that the single best predictor of academic achievement is some measure of socioeconomic status.

The complicated answer is that – has to do with the reality that we don't always measure socioeconomic status correctly.

There are two major bodies of thought on academic achievement and effective schooling. One is labled [sic], sort of loosely, the effective schools research, which essentially says that things that go on in schools determine academic achievement, and that the things that occur outside of school, particularly with respect to family background, and for sociologists that would include socioeconomic status, don't have much impact on the quality of education. That research also rejects the [p. 1455] notion that race has much of an impact at all on the quality of education.

The second body of research is more family based and talks about those variables or qualities of the family that have an impact on education and, to some degree, rejects the notion that what goes on the [sic] school is completely responsible.

So, at first glance, these two major bodies of thought on the question conflict, and both suggest that socio-economic status is – is not all that important.

The reason that they end up suggesting that is that the sociologists and economists have measured socio-economic status in the most convenient way; that is we've used education, occupation, and income because they're quantifiable.

But the reality is that a better measure has to do with many of the same kinds of variables about which Mr. Porter just spoke, and it turns out that research tends to indicate that kids who do best in schools are middle class students, though they may be poor; that is, that class is not as closely tied to income as we might have imagined, and a middle class family is a family in which there is strong authority, there's strong discipline, there's strict monitoring of the child's use of time and space, there's consistent praise for jobs well done, there's consistent parent-child interaction. And it turns out that those qualities can exist and have historically existed across the economic spectrum.

[p. 1456] So when you define class that way, though it's more difficult to measure when you do it that way, when you define class that way it turns out that a class is an absolutely crucial variable in predicting achievement, and certainly much more important than – than race.

Q. In fact, Doctor Sampson, I think those types of values you're discussing were things that both Mrs. Luper and Senator Porter pointed out in their own background.

A. Yes. Precisely.

Q. And you stated that these values are not really linked to income; is that right?

A. It's certainly easier to maintain them if you have more money, but it's obviously not impossible. If that were the case, then no generation of Americans would have ever gotten out of poverty, and generation after generation of Americans have gotten out of poverty. One of the basic reasons for that is, to a considerable degree, those that got out maintained those values.

And if you look, for example, – I'm beginning some research that looks at why a group of six all-black parochial schools in Chicago are so successful. The high school dropout rate in Chicago public schools is 65 percent. These six schools send 80 to 90 percent of their kids to college, and they're serving the same population.

Q. And did I understand you to say that those are all black?

[p. 1457] A. All black.

Q. Parochial schools?

A. Hundred percent black. And only about half of the students who go to those schools are Catholic. Many of them aren't.

And so we're beginning to look at what those schools are doing that – that produces that kind of achievement that the public schools in Chicago aren't doing, and there are several things.

One is it turns out that those schools have those characteristics that are most often associated with effective schools, the so-called effective schools; that is, they have less tracking rather than more, they have a strong principal, that their teachers have a great deal of access to outside-of-classroom materials, there's more emphasis upon the teaching of social studies rather than on math. All of those are characteristics.

If you look at the Ron Edmonds, Larry LaZant work on effective schools over the years, the characteristics of effective schools, and it turns out – by the way, strong discipline – and it turns out that those parochial schools have all of those things.

In addition to that, there's some self-selection that goes on. They tend to bring in these middle class families that are, in fact, poor, because those families want their kids to [p. 1458] get that kind of education, but those are precisely the kinds of families who would work well in any school system.

Q. Now, are those six parochial schools affluent schools?

A. No, they're all very poor. They're all in – in very poor black communities.

Q. So do I understand you to say that this set of values which is a good predictor of academic success does not depend on economic lines; is that correct?

A. No, it does not.

Q. Does it depend on racial lines?

A. Not at all. And to argue – I would suggest that to argue that it does is a racist argument.

Q. I guess my question, Doctor Sampson, is: In your opinion, do black students need to be in a classroom with white students to learn effectively?

A. Not if learning is what you're talking about. It has nothing to do with learning. If you were to go to Chicago and talk to these – or Milwaukee or a variety of other cities where these parochial schools are doing quite well and ask those little black kids, who are going off to Harvard and Yale and wherever they are going off to next fall, how concerned they are with integration, they would tell you "not at all." The school has worked very well for them.

* * *

[p. 1461] Q. How does education fit into diminishing or totally ridding the society of that disparity?

A. Well, if you look, the average black female college graduate earns 105 percent of what her white counterpart earns. That means that black female college graduates are earning more than white female college graduates.

The average black male college graduate earns about 84, 85 percent of what his white counterpart earns. That suggests that there is some discrimination in – in the marketplace.

But we're talking about college graduates; that is, both black and white have the same credentials, and there is somehow a discrepancy in payment and/or promotion.

Q. Would you be concerned about students being harmed in a classroom that was 90 percent or more black if there was an effective schools program?

A. If – if the purpose of the schools is education, then the answer is "no."

Q. And, in your opinion, what is the purpose of public schools?

A. I always thought it was education.

* * *

[p. 1468] Q. Now, I'm talking about – my question is, is intentional segregation of public schools harmful?

A. My answer is, I [sic] doesn't have to be.

Q. Is it ever, though?

A. Anywhere at any point in time throughout history?

Q. Can you answer my question?

A. Not the way it's stated.

Q. Okay. Fine.

You indicated that you believe that the argument that – and correct me if I misunderstood this. I may have. That the argument of success depends on racial lines, or something to that effect there, is a racist argument.

Did you understand the position of the plaintiffs in this case to be that black people cannot be successful at anything if they are in an all-black environments [sic], that there's no way they can be successful?

A. I don't have a real understanding of what the plaintiffs are up to. I'm asked to come and testify about what I know, and that's what I did. That is, I haven't discussed with the plaintiffs what their positions are.

Q. You also indicated that black students have – don't have to be in classes to learn –

A. No, they don't have to be –

Q. – with white children –

A. That's right.

* * *

ARTHUR STELLER

[p. 1482] Q. Doctor Steller, do you have an opinion with respect to what impact the implementation of Doctor Foster's proposal would have on the degree of parental involvement that we have in the district at this point in time?

A. Yes, in a variety of ways.

Q. Would you state those opinions, please.

A. One would be in – there was no – seemingly no consideration taken in the Foster plans, A or B, to – and I think that was a question that you asked Doctor Foster yesterday – relative to bilingual students.

There are advisory committees for bilingual programs. It would be possible for many families, they would have youngsters in two different schools, and by having youngsters, not just many parents would have youngsters in two different schools, but in the bilingual situation it would be an additional hardship because they would have two sets of meetings to go for – to go to

attend for bilingual parent meetings, which is a very strong component of our bilingual program. Not only is that somewhat of a scheduling difficulty, it's an additional burden upon bilingual parents to have attend two separate meetings [p. 1483] for the purposes of the bilingual.

The same thing is true with chapter I students. We have a chapter I program where one part of the program is a parent program, and parents attend meetings, advisory meetings, and meetings on how to be a parent and how to reinforce what the school is doing. And a chapter I family could have a youngster in two different schools and, therefore, have to attend double the number of meetings. Obviously, many parents would not choose to do that.

The same thing is true for parents in special education, where they have – would have, perhaps, a youngster in more than one special education program in two different schools.

There's the requirements, due to federal regulations, of IEP's, for instance, that require going to the school, meeting with school staff.

It's the opinion of our special education department and staff that the involvement of parents in chapter I and bilingual programs and special education would drop off heavily because of all those requirements, simply the number of meetings, the transportation, the mileage back and forth between the two skills, some parents in those programs do not have transportation to get them there. So that would create an additional burden. The same

burden is felt by any parent, whether they have a youngster in any of those programs.

But they would have membership in – or hopeful they would [p. 1484] have membership, we try to encourage membership – in more than one PTA if they had more than one youngster. That would be double the dues, double the PTA meetings, double the fund raisers, double all the activities involved in PTA organizations. And by putting that additional burden on parents, as a practical matter, they simply would not choose to participate in double the number of activities.

So that I think there would be a – well, I'm sure that there would be a great drop off in PTA membership and involvement in those organizations, and general parental involvement, however you define it, in schools.

* * *

[p. 1496] A. * * * Basically, the bottom line is that under the Foster proposal there would be 632 fewer students eligible for chapter I under plan A, that's 21 percent fewer students eligible for remedial math and reading help under plan A, and 710 fewer students, or 24 percent fewer under Foster plan B, which is somewhat ironic. You know, when – what we would have then would be fewer students participating in bilingual programs, a hardship on special education programs, and fewer students that would be eligible to participate in chapter I programs.

* * *

[p. 1500] Q. Doctor Steller, do you have an opinion, based upon conferring with your Cabinet Members and Key Administrative staff, with respect to the total cost to

implement plan A in the first year? And by "total cost," I mean total transportation and all the other financial aspects that you have just been discussing.

A. Yes, I do.

Q. And what is that opinion?

A. The total cost – which would include virtually everything that I've discussed, and perhaps a couple of other minor points – but the first-year cost of plan A would be $7,402,913.50.

Q. What would be the cost of operation under plan A for each year after the first year?

A. All right. After the first year the cost goes down. It's $1,678,958.50.

* * *

[p. 1502] A. * * * One of the first things, if we were talking about implementing plan A or plan B, Foster's plan A or plan B, at this point in the year, or at any year after April 10th, and –

MR. DAY: Do you need some more water?

THE WITNESS: Excuse me. I need some more something.

A. – Any point after April 10th when we were considering school closings, here's what we would be looking at.

In terms of school closings, one high school, one middle school, one middle school alternative school, 20 elementary [p. 1503] schools, for a total of 2.5 million dollars.

Now, of course, closing schools would make us go back and redo everything else in the foster plans. But that is something that – I mean, if you have to pay for it, you have to pay for it some way. So that would be 2.5 million dollars from closing schools.

Renegotiate union contracts, a million dollars. That would not be a very easy task, but that's on the list.

Eliminate supplemental salaries for teachers in middle school and high school, which means coaches, band, vocal music, things like that. That would be $600,000.

Q. Excuse me, when you said "renegotiate the union contract," cost of a million dollars, were you saying that you would attempt to undertake negotiations with the teachers union to try to get them to take less money?

A. That's true. You said "Try to get them to take less money." That would be very much the case.

Q. Sorry to interrupt you. I'm sorry.

A. That would not be easy, obviously, to accomplish, but, given the constraints, that might be something that we would decide to do.

Reduce purchase of instructional supplies and equipment by the tune of $350,000.

Reduce Maintenance positions $350,000.

Further reduction of campus police positions, $200,000.

[p. 1504] Reduce clerical, instructional aides and secretarial positions, 1.5 million dollars.

Reduce more custodial positions and supplies, like custodial supplies, $600,000.

Drop more administrative positions, $200,000.

Reduce substitute teacher allocations, $500,000.

Reduce vehicle and garage expenses, a hundred thousand dollars. Now, that one we would probably drop off the list, because if we're going to add between 85 and 125 more buses, we would not be able to reduce that figure.

Reduce school district textbook expenditures $200,000.

Eliminate district's contribution to teacher retirement, which means we'd have to renegotiate that with teachers, and that would be 2.7 million dollars.

Reduce ten more central office, principal and assistant principal administrative positions and reassign those individuals to teaching positions. That would be $150,000.

Then we also said at the bottom that we would file for bankruptcy, apply for governmental loans, and adopt an early release program for students.

Now, this figure, the figures that I gave, add up to more than the cost of either plan A or plan B, but they're the kinds of things that would have to be done to pay for either plan A or Plan B.

Q. Do you believe it would have an effect on the effective [p. 1505] schools program presently being implemented in the district?

A. It would have an effect on virtually every part of the program. I think simply making those kind of cuts, in and of themselves, discounting the negative impact that Foster's plan would have on parents in the community, but simply implementing those kinds of cuts, people would leave the district, period. I mean, forget what kind of organizational grade-level plan we'd have, people would simply leave the district if we had to implement that kind of additional cuts.

Q. Doctor Steller, during the defendant's case, several witnesses referred to action taken by other governmental agencies. For example, the City Planning Commission, the City Housing Authority and the Interstate Highway Authorities.

My question to you, sir, is whether or not the Oklahoma City Board of Education consults or is consulted by any of these organizations before they take any action with respect to the location of public housing, zoning ordinances, or location of interstate highways.

A. In the two years that I have been here, I have never seen any correspondence or any – any reference from any of those Governmental agencies. We have no liaison function, except in the most informal sense, with any of those agencies.

* * *

[p. 1518] Q. Does the district receive Chapter II funds?

A. Yes.

Q. And you have discretion, a wide area of discretion in which to use those funds; isn't that correct?

A. Yes, and we're currently using those funds, for the last two years, in effective schools measures.

Q. But those funds are available for any program that was in existence prior to the Education Consolidation Act of 1981; isn't that true?

A. They are used – there are some restrictions, but they're funds that basically the school district can determine.

However, if we took those funds away from the effective schools program, obviously that would effect all students in all elementary schools, and that would seemingly be counterproductive to what the district's all about.

Q. Those funds would be available to provide compensatory services to children reassigned as a result of a desegregation plan?

A. They would be, however, as I stated, they would be have – you would have to take those funds away from what they're currently being expended for, and that is an effective schools program.

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PLAINTIFF'S EXHIBIT 48

Racial Composition of Elementary School Faculties,*
1972-73, 1984-85, 1985-86, 1986-87

	1972-73 % Black	1984-85 % Black	1985-86 % Black	1986-87 % Black
Adams	21	16	18	14
Arcadia	17	32	18	20
Arthur	20	23	20	15
Bodine	20	26	23	23
Britton	17	38	22	24
Buchanan	17	24	17	10
Burbank	18	63		
Cleveland	19			
Columbus	16	16	21	27
Coolidge	19	17	17	18
Creston Hills	28	48	57	43
Culbertson	20			
Davis	18	36	22	17
Dewey	21	15	48	42
Dunbar	25	29	36	
Edgemere	19	35	26	39
Edison	37			
Edwards	15	48	65	70
Eugene Field	18	32	16	17
Fillmore	23	19	23	25
Garden Oaks	39	48	40	50
Garfield	22			
Gatewood	24	29	34	27

	1972-73 % Black	1984-85 % Black	1985-86 % Black	1986-87 % Black
Green Pastures	18	36		
Harrison	18	43	39	38
Hawthorne	23	40	37	41
Hayes	16	29	36	29
Henry	22			
Heronville	21	22	27	29
Hillcrest	16	23	17	18
Horace Mann	20	36	38	33
Johnson	15	13	15	15
Kaiser	23	32	35	31
King		30	26	43
Lafayette	25	29	22	22
Lee	25	14	14	18
Lincoln	21	55	49	64
Linwood	17	8	9	10
Lone Star	22			
Longfellow	20	16	31	38
Madison	19	25	13	17
Mark Twain	18	16	24	35
Mayfair	23			
McKinley	25			
Monroe	21	24	20	27
Nichols Hills	27			
North Highland	19	34	39	38
Oakridge	20	40	33	26
Page	31			
Page-Woodson		32		
Parker	22	29	44	46
Parmelee	21	23	22	21
Pierce	17	19	17	10
Polk	19	32	43	46

	1972-73 % Black	1984-85 % Black	1985-86 % Black	1986-87 % Black
Prairie Queen	26	15	11	17
Putnam Heights	14	20	31	31
Quail Creek	20	24	30	30
Rancho Village	23	18	0	0
Ridgeview	20	22	24	29
Riverside	24	49		
Rockwood	18	21	26	36
Ross	19			
Sequoyah	21	29	27	24
Shidler	20	32	39	35
Shields Heights	18	27	26	30
Southern Hills	22	27	27	22
Spencer	18	43	36	30
Stand Watie	17	17	16	19
Star	29	31	27	31
Stonegate	21	20	20	24
Sunset	27			
Telstar	17	45	56	65
Truman	32	42	33	44
Tyler	31			
Valley Brook	18			
Van Buren	22	24	11	22
West Nichols Hills	21	22	38	17
Western Village	13	19	14	23
Westwood	15	40	38	38
Wheeler	17	22	35	27
Willard	27	35	25	21

	1972-73 % Black	1984-85 % Black	1985-86 % Black	1986-87 % Black
Willow Brook	24	34	44	42
Wilson	21	23	17	21
Woodson	44			
[NO. SCHOOLS]	82	69	65	64
[AVERAGE % BLACK]	21%	29%	27%	28%
[RANGE]	13%-44%	8%-63%	0%-65%	0%-70%

*Source: PX 29 (Exhibit 2(a) to Defendants' Answers to Plaintiffs' First Interrogatories on Remand).

Fifth-grade centers omitted for 1985-86 and 1986-87 school years because of non-comparable grade structure of Hoover.

PLAINTIFF'S EXHIBIT 50

1984-85 Elementary Enrollment and Faculty – Percent Black*

School	Faculty 1984-85 % Black	Enrl. 1984-85 % Black
Burbank	63	35.4
Lincoln	55	36.9
Riverside	49	13.6
Edwards	48	29.7
Creston Hills	48	41.4
Garden Oaks	48	36.9
Telstar	45	68.3
Harrison	43	45.8
Spencer	43	65.5
Truman	42	27.6
Oakridge	40	49.7
Hawthorne	40	28.4
Westwood	40	21.0
Britton	38	40.6
Davis	36	45.9
Horace Mann	36	28.8
Willard	35	21.2
Edgemere	35	51.8
Willow Brook	34	62.7
North Highland	34	46.5
Arcadia	32	34.6

School	Faculty 1984-85 % Black	Enrl. 1984-85 % Black
Eugene Field	32	34.9
Polk	32	31.6
Kaiser	32	37.8
Shidler	32	30.7
Star	31	54.0
King	30	43.2
Gatewood	29	44.9
Lafayette	29	40.3
Sequoyah	29	36.3
Parker	29	72.3
Hayes	29	25.7
Shields Heights	27	25.5
Southern Hills	27	35.4
Bodine	26	36.0
Madison	25	23.6
Quail Creek	24	31.0
Monroe	24	33.5
Van Buren	24	23.3
Buchanan	24	27.0
Arthur	23	20.2
Hillcrest	23	37.5
Parmelee	23	38.6
Wilson	23	29.0
Heronville	22	25.7
Ridgeview	22	30.6
West Nichols Hills	22	35.1
Wheeler	22	23.2
Rockwood	21	35.4
Putnam Heights	20	45.8

School	Faculty 1984-85 % Black	Enrl. 1984-85 % Black
Stonegate	20	42.2
Fillmore	19	29.6
Western Village	19	52.0
Pierce	19	28.2
Rancho Village	18	20.7
Stand Watie	17	22.5
Coolidge	17	27.6
Longfellow	16	32.2
Mark Twain	16	33.5
Adams	16	26.7
Columbus	16	16.9
Prairie Queen	15	25.9
Dewey	15	33.5
Lee	14	21.5
Johnson	13	57.4
Linwood	8	17.5

*Source: PX 25 (Exhibit 1(b) to Defendants' Answers to Plaintiffs' First Interrogatories on Remand), PX 29 (Exhibit 2(a) to Defendants' Answers to Plaintiffs' First Interrogatories on Remand)

PLAINTIFF'S EXHIBIT 52

1985-86 Elementary Enrollment and Faculty – Percent Black*

School	Faculty 1985-86 % Black	Enrl. 1985-86 % Black
Edwards	65	99.3
Creston Hills	57	98.8
Telstar	56	58.2
Lincoln	49	97.5
Dewey	48	97.1
Parker	44	97.3
Willow Brook	44	46.4
Polk	43	97.7
Garden Oaks	40	98.8
North Highland	39	96.3
Shidler	39	37.1
Harrison	39	43.9
Westwood	38	24.2
West Nichols Hills	38	21.3
Horace Mann	38	33.1
Hawthorne	37	15.6
Hayes	36	10.9
Spencer	36	71.1
Kaiser	35	12.8
Wheeler	35	9.7

School	Faculty 1985-86 % Black	Enrl. 1985-86 % Black
Gatewood	34	32.3
Oakridge	33	45.6
Truman	33	99.3
Putnam Heights	31	30.3
Longfellow	31	99.3
Quail Creek	30	15.8
Southern Hills	27	7.6
Star	17	54.6
Heronville	27	12.2
Sequoyah	27	16.9
Rockwood	26	35.0
Shields Heights	26	3.7
King	26	99.5
Edgemere	26	53.5
Willard	25	4.9
Mark Twain	24	9.8
Ridgeview	24	18.6
Bodine	23	34.5
Fillmore	23	9.3
Britton	22	37.3
Davis	22	8.4
Parmelee	22	6.3
Lafayette	22	1.8
Columbus	21	15.5
Stonegate	20	33.2
Monroe	20	21.4
Arthur	20	6.3
Adams	18	8.3
Arcadia	18	30.3
Coolidge	17	7.5

School	Faculty 1985-86 % Black	Enrl. 1985-86 % Black
Pierce	17	17.8
Wilson	17	31.6
Buchanan	17	8.2
Hillcrest	17	5.1
Eugene Field	16	32.2
Stand Watie	16	28.8
Johnson	15	31.4
Western Village	14	65.0
Lee	14	7.9
Madison	13	10.7
Prairie Queen	11	6.1
Van Buren	11	8.8
Linwood	9	9.3
Rancho Village	0	6.1

*Source: PX 25 (Exhibit 1(b) to Defendants' Answers to Plaintiffs' First Interrogatories on Remand), PX 29 (Exhibit 2(a) to Defendants' Answers to Plaintiffs' First Interrogatories on Remand)

PLAINTIFF'S EXHIBIT 54

1986-87 Elementary Enrollment and Faculty – Percent Black*

School	Faculty 1986-87 % Black	Enrl. 1986-87 % Black
Edwards	70	99.5
Telstar	65	59.7
Lincoln	64	99.3
Garden Oaks	50	98.3
Polk	46	98.8
Parker	46	96.9
Truman	44	99.7
King	43	98.9
Creston Hills	43	99.0
Dewey	42	98.4
Willow Brook	42	51.5
Hawthorne	41	19.2
Edgemere	39	51.3
Longfellow	38	99.1
Westwood	38	20.0
Harrison	38	49.4
North Highland	38	97.5
Rockwood	36	41.5
Shidler	35	37.1
Mark Twain	35	9.7
Horace Mann	33	35.2
Putnam Heights	31	34.8
Kaiser	31	18.1

School	Faculty 1986-87 % Black	Enrl. 1986-87 % Black
Star	31	61.4
Shields Heights	30	3.9
Quail Creek	30	13.1
Spencer	30	76.3
Heronville	29	8.9
Ridgeview	29	17.1
Hayes	29	11.2
Monroe	27	15.9
Gatewood	27	25.7
Columbus	27	15.2
Wheeler	27	8.1
Oakridge	26	42.3
Fillmore	25	6.4
Stonegate	24	33.1
Sequoyah	24	19.5
Britton	24	37.9
Bodine	23	34.2
Western Village	23	65.6
Southern Hills	22	7.0
Lafayette	22	2.7
Van Buren	22	7.7
Willard	21	9.1
Parmelee	21	11.8
Wilson	21	26.4
Arcadia	20	28.5
Stand Watie	19	25.9
Lee	18	6.6
Hillcrest	18	11.6
Coolidge	18	5.1

School	Faculty 1986-87 % Black	Enrl. 1986-87 % Black
West Nichols Hills	17	20.0
Eugene Field	17	31.8
Prairie Queen	17	6.2
Madison	17	15.0
Davis	17	9.9
Johnson	15	27.4
Arthur	15	7.3
Adams	14	6.1
Buchanan	10	8.8
Pierce	10	16.3
Linwood	10	13.6
Rancho Village	0	10.6

*Source: PX 25 (Exhibit 1(b) to Defendants' Answers to Plaintiffs' First Interrogatories on Remand), PX 29 (Exhibit 2(a) to Defendants' Answers to Plaintiffs' First Interrogatories on Remand)

PLAINTIFF'S EXHIBIT 56

Minutes, December 10, 1984,
School Board Meeting

The Board of Education of Independent School District Number 89 of Oklahoma County, Oklahoma, met in a special, meeting in the Board Room, Administration Building, 900 North Klein, Monday, December 10, 1984 at 6:30 P.M.

Present: Susan Homes President
LaRue Donworth Vice President
Jean Brody Member
Paul Heath Member
Betty Hill Member
Hugh Long Member
Clyde Muse Member

* * *

SPECIAL BUSINESS

The purpose of the special meeting was for public hearings on the 1985-86 Student Assignment Plan. Mrs. Homes announced the method for conducting the hearings and called on the speakers.

Seventy-five persons were heard, and their remarks are summarized as follows:

1. Chuck Keeler, Teacher, Classen High School, spoke in favor of the HALO (A.F.T. proposed) Plan.
2. Bob Stalnaker, Teacher, Eisenhower Middle School, felt Eisenhower would be underutilized as a fifth year center as proposed in the plan. He also asked about the Board's intentions for the Arcadia area.
3. Diane Harvey-Oden, Monroe School Patron, suggested that integration should begin before fifth

grade; felt if the plan was implemented, desegregation would not be as good as it is now.

4. Wayne Dempsey, Patron, expressed concern with the plan, specifically to the elementary school issue. Closing Classen High School was also discussed. Mr. Dempsey disapproved the previous allowance of transfers, and felt Classen should be left open.
5. Joyce Henderson, Principal of Classen High School, asked that Classen be continued, but as a special (magnet) high school.
6. Alfred N. Blakeley, Patron, commended the Board for taking a stand spoke against the concept of 'separate but equal'; proposed the Board consider this a preliminary plan and not take action at this time.
7. Carolyn Wallace, Northwest Classen Patron, commended the board on the plan; felt those responsible for the plan would be alert to any inequities and the measures to correct them should they occur.
8. Charles Moore, Patron, Classen area, suggested the Board was moving much too fast and needed to study the plan further.
9. Julie Perkins, Student, Capitol Hill Middle School, asked that the students not be asked to move; that the school not be changed to a fifth year center.
10. Sheldon Dadson, student, Capitol Hill Middle School, spoke on retaining the school as a middle school and told of the special programs there.
11. Effie Grimes, Patron, Northeast area, spoke against the plan; felt the current assignments were working; felt the proposed plan would create segregation again.
12. Joyce Collins, Patron, Capitol Hill Middle School, asked that the school be left a middle school.
13. Ed Kirkpatrick, Classen High School parent stated that philosophically he had a problem with the plan because of the possible re-segregation.

14. Katrina Adams, Student, Capitol Hill Middle School, stated majority of students did not want the school changed to a fifth year center. She presented the Board with a petition signed by the students.

15. Michael Stephenson, Student, Capitol Hill Middle School, spoke against making the school a fifth year center.

16. Mike Wetmore, Student, Classen High School, asked about transportation for the students if they were transferred to Northwest; felt the Board had not given the HALO Plan serious consideration; and felt Classen should not be overlooked because they did not "make waves".

17. Kay Floyd, Eisenhower Middle School Patron, stated a concern that if the plan was approved, Hoover would need portables, have large classes, and require teachers to travel from room to room. Requested opening Nichols Hills as a fifth year center and leaving Eisenhower and Hoover as middle schools.

18. Chester Boevers, Patron, support the proposed plan; like the neighborhood school concept.

19. Charlene H. Moore, Student, Classen High School, suggested the Board consider moving the Cleveland students to Classen, using Classen as a magnet, or changing the boundaries. If Classen is to be closed, asked that the students and teachers be moved to N.W. Classen with allowance for special transfer to Douglas or N.E. on request.

20. Dianne Kruegar, Patron, Arcadia, felt the fifth grade was too late for integration; asked if the fifth grade could be left at the Arcadia Elementary School.

21. Charles Alexander, Teacher, Capitol Hill Middle School, spoke against the plan. He felt the plan was a step backward, caused unnecessary movement of

staff, loss of pay for some, and retained the "unnecessary" fifth year centers. He proposed the HALO Plan.

22. Kylle Kerstan, Teacher, Rogers Middle School, continued to explain the A.F.T.'s plan. She felt the Union and community input should have been sought – suggested a modification of the Board Committee's plan.

23. Ann Turner, Teacher, Grant High School, continued discusion [sic] of the HALO Plan, which was developed after input from teachers and patrons was sought.

24. Ruth Nichols, Teacher, also outlined a part of the HALO Plan.

25. Tony DeGlusti, AFT Staff, continued the presentation about the AFT proposed HALO plan; stated affirmative action was a "given" in the plan; stated the plan offered was not perfect, but is an alternative.

26. Georgia Iannello, President, A.F.T., asked that the Board take a serious look at the plan, look at the cost. She said the teachers were concerned about resegregation, and asked the Board to take some more time.

27. Mary Hamilton, Lafayette Kindergarten Teacher, said that Lafayette should be the starting point as a neighborhood school.

28. Cherie Scott, Bodine Patron, asked that the fifth grade be left at Bodine; wanted justification for the fifth graders to be moved.

29. Sam Barnett, Capitol Hill Middle School Parent, supported leaving CHMS a middle school; asked that the Board reconsider making the school a fifth year center.

30. Leslie Brown, Acting President, Oklahoma City Branch of NAACP, stated that his organization

opposed the plan as presented; that the district should not return to a segregated society, and felt the plan did this.

31. Pamela Woody, Oakridge Patron, asked for consideration of Oakridge as a K-5 school.

At 8:00 p.m. President Hermes declared a recess. The Board reconvened at 8:14 p.m. Mr. Long left the meeting during the recess.

32. Barbara Erickson, Teacher, Classen High School, stated she believed in the integrated school system; could not support resegregation; felt Classen was a fine school.

33. Jan Collins, Patron, supported the revised student assignment plan as a step forward to neighborhood schools. She asked that the board consider eliminating fifth year centers; and asked that K-5 schools be instituted. Ms. Collins presented a petition supporting those views to the Board.

34. Rita Chapple Clytus, Patron, spoke against cross-town busing for purposes of desegregation; supported the plan; asked for racial integration using field trips, etc., rather than busing.

35. Freddie Williams, Patron, commended the Board for their actions; supported the plans; opposed busing; asked the Board to fortify the plan with equity, care, and concern.

36. Mildred E. Rayner, Patron, Teacher, expressed concern for the students and staff of CHMS as well as the fifth grade students to be assigned there under the new plan because of the size of the playground, facilities, location, number of restrooms, etc.; asked about the cost of adapting the school for fifth year use; asked the CHMS be left as is.

37. Linda Sellers, Patron, CHMS Teacher, stated CHMS has a good program, and is self-supporting as far as

special activities are concerned; gave examples of their efforts. She supported leaving the school a middle school.

38. Brenda Fink, Patron, supported the new proposed plan over the Finger Plan.

39. Heather Howerton, Student CHMS, wished to "save the school".

40. Eunice O. Farbes, Teacher, Classen High School, stated that students of all races need to go to school together as little children if integration is to be successful. Asked that the Board find a way to keep Classen open as a kind of school that would "pull in" students.

41. Mrs. Andrew J. Brooks, Teacher, Classen High School, spoke against the plan; felt it was a step backward and would not support integration.

42. Mary Edwards, Patron, spoke for the proposed plan.

43. Jamie Atherton, Patron, supported the proposal; supported the concept of neighborhood schools.

44. Sheila Thornton, Patron, supported the plan.

45. Jay Mercer, Patron, supported the plan, either K-4 or K-5; felt that main concern should be safety of the kids.

46. Leora Cole, Patron, was against the busing of children, kindergarten through fourth grade; stated that busing prevented participation by students in extra curricular activities; supported the plan.

47. Ann Wilson Witte, Teacher, President of OEA, OKC, expressed concern about transfer of teachers; asked the teachers be treated fairly and with dignity.

48. Beth Antonelli, Patron, wanted equal opportunity in education, regardless of where the students attended school; supported the proposed plan.

49. Mary Ann Gates, patron, supported the proposal.

50. Billie Oldham, Patron, was for the plan.

51. Kathy Shinn, Patron, supported the plan.

52. Clara Luper, Patron, Teacher, John Marshall High School, spoke against the plan, and said litigation would follow if the plan was adopted.

53. Gwen Sneed spoke against the plan; asked the Board to review the proposal and come up with something different.

54. Debbie Robinson supported the proposal so that her children would not be bused across town.

55. Cecil Williams spoke to the issue, opposing the plan.

56. Chelle Luper, Student, NAACP Youth Council, was against the plan.

57. Charles Wilson spoke against the plan; liked things the way they are now.

58. Sheronda Mitchell, NAACP Youth Council, spoke for integrated schools and against the plan.

59. Darlene Smith, Dewey Fifth Year Center Patron, spoke in support of the plan.

60. Clyde Madden, Patron, spoke in opposition to the plan; asked the Board to vote the plan down.

61. Wayne Vincent, Patron, Classen High School, said he was concerned that the discussion seemed to be that of a black/white issue. He proposed that the plan for Classen be termed "reorganization"; that Northwest Classen should be renamed Classen.

62. Ira Hall, Patron, said whatever plan was decided on, we should all work for the welfare of the children.

63. Phoebe Revelle, Teacher, Northeast High School, voiced her pride in the OKC Public Schools; spoke against the plan, stating that it offered a return to segregation.

64. James O. Morrissey supported the plan; thanked the Board for "taking up the torch" for the students.

65. Marilyn A. Hildreth, Patron, West Nichols Hills, spoke against the plan; said that she would rather have her child ride a bus than go to segregated schools.

66. Earnestine M. Bell spoke against the plan.

67. Zack Phillips, Patron, spoke against the plan; said the plan would not work. He asked that the Board come out with a "decent" plan for all students.

68. Lael Erickson, Patron, spoke against the plan; stated that it [is] regressive rather than progressive.

69. Barbara True supported the plan. She said it was not going backward; rather, it will give the children in grades K-4 a feeling of security being nearer to home.

70. Kay Ahaus, Patron, asked the Board to reconsider the plan, to not act in haste. Regarding Hoover and Eisenhower, she felt they would be overcrowded under the proposed plan.

71. Robert Schumacher, Student, Southeast High School, thanked the Board for listening.

72. Leonard Senton, President, OKC Urban League, said that when the original plan was developed it was unfair in the black children had to be bused grades 1-4 and white did not. He said if we are not going to have two-way busing, then students should be allowed to stay in their own neighborhoods.

73. Joanel Provo, Teacher, CHMS, spoke against the plan.

74. Wallace Johnson supported delaying any action until further study takes place.

75. Blanton Bennett opposed the plans; asked for a postponement until a plan beneficial to all concerned could be developed.

* * *

DEFENDANT'S EXHIBIT 5D

Oklahoma City Population Change in East Inner-City Tracts, 1950-1980

	BLACK POPULATION			
TRACT NO.*	1950	1960	1970**	1980**
13	660	4818	5463	4198
27	686	2696	1691	22
28	2233	6784	4554	3504
29	5244	3684	1183	447
30	3976	5066	2746	853
38	4828	3324	1625	912
79	not tracted	2905	2747	2623

	TOTAL POPULATION			
TRACT NO.*	1950	1960	1970**	1980**
13	4618	5531	5655	4278
27	3496	3684	1821	45
28	6699	7097	4631	3617
29	5368	3747	1190	456
30	7673	6488	3026	1082
38	6446	4115	1768	1064
79	not tracted	3030	2791	2663

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*Proportion of total Oklahoma City black population living in these tracts: 1950, 82%; 1960, 84%; 1980, 16.8%.

**The tract numbers for 1970 and 1980 had the number 10 preceding each original tract number, i.e., tract 13 became tract 1013.

Source: U.S. Census

DEFENDANT'S EXHIBIT 5E

Oklahoma City Black Population Turnover* in East Inner-City Tracts

TRACT NO.**	1965-70 (percent)	1975-80 (percent)
13	40.5	23.8
27	49.9	no data
28	31.0	35.5
29	38.9	39.5
30	60.7	49.4
38	59.4	48.5
79	31.2	no data
Average % Turnover	42.0	33.2

*Percent who did not live in the same house 5 years previously.

**The tract numbers for 1975-80 had the number 10 preceding each original tract number, i.e., tract 13 became tract 1013.

Source: U.S. Census

DEFENDANT'S EXHIBIT 6

Population Growth/Change in Oklahoma City

POPULATION GROWTH/CHANGE IN THE OKLAHOMA CITY METROPOLITAN AREA

		% Growth 1960-1970	Absolute White Change	Absolute Black Change
Oklahoma School District	(1)	1.6%	-6784	8126
	(2)	25.7%	1986	1247
	(3)	-8.8%	-64	-85
Eastern Oklahoma County		38.3%	20571	3666
Northern Oklahoma County		77.2%	7763	65
Western Oklahoma County		112.9%	54352	75
Part of Canadian County		***	***	***

		% Growth 1970-1980	Absolute White Change	Absolute Black Change
Oklahoma School District	(1)	-7.8%	-36185	5093
	(2)	10.5%	-1254	2650
	(3)	40.3%	535	-55
Eastern Oklahoma County		28.2%	17633	8854
Northern Oklahoma County		94.4%	15423	781
Western Oklahoma County		17.0%	11257	2907
Part of Canadian County		165.8%	23692	118

		% Growth 1960-1980	Absolute White Change	Absolute Black Change
Oklahoma School District	(1)	-6.3%	-42969	13219
	(2)	38.7%	732	3897
	(3)	28.0%	471	-140
Eastern Oklahoma County		77.4%	38204	12550
Northern Oklahoma County		244.5%	23186	846
Western Oklahoma County		149.2%	65609	2982
Part of Canadian County		***	***	***

*** Canadian County was untracted in 1960
See Map for Geographic Units

Source: U.S. Census of Population, 1960, 1970, and 1980.

DEFENDANT'S EXHIBIT 10
Abstract, Clark, Residential Segregation
in American Cities

Population Research and Policy Review 5: 95-127 (1986)
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Residential segregation in American cities: a review and interpretation

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Abstract. Significant levels of separation between blacks and whites still exist in large American cities, and debate about the causes of that residential separation has been considerable. A balanced analysis of the factors that might explain residential segregation – economic status (affordability), social preferences, urban structure, and discrimination – suggests that no one factor can account for the patterns that have arisen in U.S. metropolitan areas. Empirical estimation of the impact of economic status suggests that 30-70 percent of racial separation is attributable to economic factors. However, economic factors do not act alone, but in association with preferences. Together with elements of the urban structure, these factors bear much of the explanatory weight for present residential patterns. Survey evidence from both national and local studies shows that black households prefer neighborhoods that are half black and half white, while whites prefer neighborhoods ranging from 0 to 30 percent black.

The debate about causes seems most polarized over the role of discrimination. Although comments in the literature often focus on the past use of racially restrictive covenants by state-regulated agencies and discriminatory acts by realtors and financial institutions, the documented individual cases of discrimination do not appear to be part of a massive collusion to deny housing opportunities to minorities. A review of the evidence from social science investigations demonstrates that there are multiple causes of racial residential separation in U.S. metropolitan areas.

* * *

An earlier version of this paper was presented to the U.S. Commission on Civil Rights, Washington, D.C., November 12, 1985.

* * *

DEFENDANT'S EXHIBIT 11

Oklahoma City Public Schools
Percent Black in Residential Zones

Residential Zone (School Name)	Percent Black 1972	Percent Black 1986	Projected Percent Black 1995
Eugene Field	0.6	31.9	39.5
Sequoyah	0.0	26.2	34.9
Britton	0.4	25.9	37.0
Stonegate	0.5	21.9	32.5
Ridgeview	0.1	17.5	29.8
Hawthorne	0.9	17.3	28.1
Johnson	0.0	13.9	26.7
Davis	0.3	13.8	25.1
Kaiser	0.0	13.2	24.5
Parmelee	0.0	12.2	23.3
Linwood	0.4	11.6	23.6
W. Nichols Hills	0.3	10.4	23.2
Madison	0.3	10.0	22.5
Hillcrest	0.3	9.8	21.5
Cleveland	0.5	8.8	22.1
Mayfair	0.2	8.4	21.0
Hayes	0.7	7.9	20.3
Arthur	0.2	7.9	20.6
Burbank	0.0	7.5	20.8
Adams	0.0	7.4	20.4
Monroe	0.2	7.0	20.6
Quail Creek	0.0	6.3	19.5
Lee	0.2	6.1	19.3
Heronville	0.7	6.1	18.8
Fillmore	0.5	5.4	18.3
Southern Hills	0.1	5.1	18.1
Mckinley	0.0	5.1	18.1
Pierce	0.2	5.0	18.9
Buchanan	0.3	4.8	18.4
Coolidge	0.0	4.3	17.5

Residential Zone (School Name)	Percent Black 1972	Percent Black 1986	Projected Percent Black 1995
Shields Heights	0.0	3.9	17.6
Henry	0.8	3.6	17.0
Prairie Queen	0.1	3.1	16.7
Rancho	0.0	3.1	16.6
Sunset	0.5	2.8	17.3
Stand Watie	0.2	2.5	16.6
Garfield	0.0	2.4	16.6
Lafayette	0.0	2.4	16.2
Valley Brook	0.9	2.1	16.8
Telstar	4.8	64.9	66.0
Western Village	2.2	64.8	64.0
Harrison	2.5	56.3	60.2
Star	4.2	46.8	53.5
Bodine	3.2	40.7	46.3
Oakridge	1.9	39.3	45.8
Wilson	2.5	33.7	42.7
Lone Star	3.0	31.7	39.7
Gatewood	5.0	28.4	37.3
Putnam Heights	3.1	26.4	35.9
Wheeler	1.3	15.9	26.7
Columbus	2.1	7.4	20.4
Van Buren	1.3	7.3	20.1
Belle Isle	1.6	7.3	20.4
Ross	1.2	3.0	17.3
Westwood	1.8	2.0	17.1
Willow Brook	5.1	61.9	63.9
Willard	5.3	9.3	22.6
Tyler	5.5	29.6	36.8
Edgemere	8.9	48.9	54.1
Emerson	10.2	37.9	44.5
Mark Twain	12.3	16.5	27.4
Spencer	17.9	71.5	71.2
Riverside	20.2	14.6	26.1

Residential Zone (School Name)	Percent Black 1972	Percent Black 1986	Projected Percent Black 1995
Nichols Hills	23.5	51.2	54.5
Horace Mann	25.6	42.0	48.8
Rockwood	36.9	48.9	50.5
Shidler	53.1	43.1	47.9
North Highland	55.0	95.0	87.5
Arcadia	62.7	35.1	42.5
Near Spencer (2)	84.8	100.0	94.8
Near Spencer (1)	86.4	92.3	89.6
Green Pastures	95.4	95.2	91.6
Dewey	95.6	96.8	91.0
Polk	96.5	95.4	91.0
Lincoln	96.7	90.9	87.1
Dunbar	97.3	100.0	94.6
Edison	97.7	98.2	93.8
Edwards	97.8	99.4	94.8
Longfellow	97.8	97.5	92.9
Page	98.0	100.0	93.2
Near Parker	98.4	96.9	92.8
Parker	98.5	97.1	93.0
Harmony	98.6	98.9	93.5
Truman	98.9	99.3	94.4
Woodson	98.9	96.2	91.8
Garden Oaks	99.1	98.2	94.0
Creston Hills	99.3	98.8	94.3
Culbertson	99.3	98.1	93.5

DEFENDANT'S EXHIBIT 21

White Population in Oklahoma City SMSA
1970-1980

	1970	1980	Percent Change
All Ages:			
SMSA	571,229	644,868	12.89
Inside District Boundary	254,758	217,989	-14.43
Outside District Boundary	316,470	426,878	34.89
Ages 6-9:			
SMSA	44,076	37,759	-14.33
Inside District Boundary	17,558	10,383	-40.86
Outside District Boundary	26,517	27,375	3.24
Age 10:			
SMSA	11,578	9,913	-14.38
Inside District Boundary	4,637	2,451	-47.14
Outside District Boundary	6,940	7,461	7.51
Ages 11-13:			
SMSA	33,279	26,487	-20.41
Inside District Boundary	13,222	6,614	-49.98
Outside District Boundary	20,056	19,872	-0.91
Ages 14-17:			
SMSA	42,678	40,175	-5.86
Inside District Boundary	17,863	10,427	-41.63
Outside District Boundary	24,814	29,747	19.88

Source: 1970 and 1980 U.S. Census.

DEFENDANT'S EXHIBIT 24

Black Population in Oklahoma City SMSA 1970-1980

	1970	1980	Percent Change
All Ages:			
SMSA	54,267	73,374	35.21
Inside District Boundary	46,010	53,637	16.58
Outside District Boundary	8,256	19,736	139.03
Ages 6-9:			
SMSA	5,908	6,036	2.17
Inside District Boundary	5,034	4,450	-11.61
Outside District Boundary	873	1,585	81.54
Age 10:			
SMSA	1,600	1,501	-6.19
Inside District Boundary	1,353	1,133	-16.26
Outside District Boundary	246	367	49.06
Ages 11-13:			
SMSA	4,254	4,089	-3.88
Inside District Boundary	3,601	3,078	-14.53
Outside District Boundary	652	1,010	54.92
Ages 14-17:			
SMSA	4,829	6,270	29.84
Inside District Boundary	4,086	4,811	17.74
Outside District Boundary	742	1,458	96.47

Source: 1970 and 1980 U.S. Census.

DEFENDANT'S EXHIBIT 38

School Districts in Comparably Sized SMSA's

School Districts in Comparably Sized SMSAs*
Black versus Non-Black

District Location	Number of Schools	Total Number of Students	Percent Black	Dissimilarity Index	Year
Columbus, OH	126	67,202	44.0	0.136	1984
Providence, RI	29	18,280	26.0	0.185	1984
Louisville, KY[1]	144	91,912	30.0	0.193	1984
Dayton, OH	43	29,649	60.0	0.194	1984
Indianapolis, IN	86	53,087	46.0	0.194	1984
Syracuse, NY	34	20,720	33.0	0.196	1982
Buffalo, NY	75	46,818	47.0	0.224	1982
Greensboro, NC	37	21,908	49.0	0.245	1984
Worcester, MA	48	19,805	6.0	0.263	1984
Gastonia, NC[2]	55	31,843	17.0	0.284	1984
Norfolk, VA[3]	50	35,694	58.2	0.288	1986
Milwaukee, WI	137	87,308	51.0	0.303	1984
Nashville, TN[4]	119	63,030	36.0	0.308	1984
Rochester, NY	49	32,100	52.0	0.314	1984
Sacramento, CA	71	42,284	23.0	0.319	1984
Albany, NY	17	8,050	43.0	0.332	1984
Salt Lake City, UT	53	24,454	2.0	0.344	1984

District Location	Number of Schools	Total Number of Students	Percent Black	Dissimilarity Index	Year
Oklahoma City, OK	**86**	**39,837**	**39.3**	**0.389**	**1986**
Richmond, VA	55	29,626	86.0	0.406	1984
Jacksonville, FL[5]	144	99,582	36.0	0.422	1984
Orlando, FL[6]	97	80,044	24.0	0.423	1984
New Haven, CT	39	17,071	60.0	0.440	1984
Scranton, PA	25	11,976	2.0	0.471	1978
Palm Beach, FL[7]	95	76,185	28.0	0.519	1984
Portland, OR	111	50,628	15.0	0.533	1984
Kansas City, MO	73	36,228	68.0	0.540	1984
Tulsa, OK	91	44,833	26.0	0.557	1984
Hartford, CT	39	23,581	45.0	0.589	1984
San Antonio, TX	94	59,106	13.0	0.676	1984
Memphis, TN	105	73,291	78.0	0.677	1984
New Orleans, LA[8]	128	82,968	86.0	0.705	1984
Birmingham, AL	95	44,207	81.0	0.743	1984

* Based on 1984 SMSA populations reported in *1986 State and Metropolitan Data Book*. Includes 24th through 55th largest SMSAs (excluding Honolulu); Oklahoma City is ranked 39th.

Note: The dissimilarity index equals the number of students who must be reassigned to achieve racial balance relative to the number who would be reassigned if the district were completely segregated. An index of 1.0 corresponds to complete segregation. An index of 0.0 means every school has the districtwide proportion of blacks.

Source: Office of Civil Rights of the U.S. Department of Education; Norfolk Public School District membership records; Oklahoma City Public Schools membership records.

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[1] Jefferson County.

[2] Gaston County.

[3] Norfolk County.

[4] Davidson County.

[5] Duval County.

[6] Orange County.

[7] West Palm Beach County.

[8] New Orleans Parish.

DEFENDANT'S EXHIBIT 40

Indices for Residential Zones

Segregation Indices for Residential Zones
Actual Values: 1972-1986
Forecasts: 1987-1995
Oklahoma City Public Schools
Black versus Non-Black

Year	Enrollment	Percent Black	Dissimilarity Index	Exposure Index
1972	53,486	25.1	0.869	0.149
1973	48,874	27.5	0.856	0.160
1974	43,843	28.3	0.839	0.172
1975	45,324	30.0	0.809	0.188
1976	41,725	30.9	0.785	0.201
1977	41,428	32.3	0.763	0.212
1978	38,958	34.1	0.739	0.222
1979	38,420	35.1	0.727	0.229
1980	37,882	34.3	0.709	0.250
1981	36,386	36.1	0.709	0.248
1982	36,470	36.4	0.693	0.257
1983	35,994	37.4	0.672	0.266
1984	35,481	38.8	0.661	0.274
1985	35,514	39.1	0.651	0.283
1986	35,466	40.0	0.640	0.290
1987	35,189	40.6	0.619	0.304
1988	34,936	41.3	0.599	0.316
1989	34,708	41.9	0.580	0.328
1990	34,508	42.6	0.562	0.338
1991	34,315	43.1	0.544	0.348
1992	34,135	43.7	0.527	0.357
1993	33,974	44.2	0.510	0.365
1994	33,813	44.7	0.494	0.373
1995	33,667	45.2	0.478	0.381

* * *

Notes: The dissimilarity index for residential zones equals the number of students who would have to move to achieve racial balance relative to the number who would have to move if residential zones were completely segregated. An index of 1.0 corresponds to complete residential segregation. An index of 0.0 means every residential zone has the districtwide proportion of blacks.

The exposure index equals the average fraction of non-black students in black students' residential zones. An index of 0.0 corresponds to complete residential segregation.

Residential zones are defined by the 1972 Desegregation Plan.

Sources: Oklahoma City Public Schools assignment records. Enrollment totals exclude kindergarten, special education students and transfers into the district.

DEFENDANT'S EXHIBIT 45

Indices for All Schools

Segregation Indices for Oklahoma City Public Schools
Black versus Non-Black
All Schools

Year	Enrollment	Percent Black	Dis-similarity Index	Exposure Index
1970	71,089	22.9	0.817	0.182
1971	68,840	23.4	0.780	0.222
1972	60,674	26.4	0.277	0.669
1973	54,196	26.7	0.255	0.677
1974	52,143	28.3	0.236	0.670
1975	50,162	29.7	0.246	0.651
1976	47,941	31.1	0.254	0.636
1977	46,274	32.3	0.270	0.619
1978	42,933	33.1	0.245	0.619
1979	42,471	34.8	0.267	0.594
1980	40,961	35.3	0.230	0.603
1981	40,777	35.5	0.233	0.596
1982	41,427	35.5	0.244	0.592
1983	40,513	36.7	0.234	0.584
1984	40,373	38.3	0.244	0.563
1985	40,174	38.6	0.377	0.464
1986	39,837	39.3	0.389	0.453

* * *

Notes: The dissimilarity index equals the number of students who must be reassigned to achieve racial balance relative to the number who would be reassigned if the district were completely segregated. An index of 1.0 corresponds to complete segregation. An index of 0.0 means every school has the district wide proportion of blacks.

The exposure index equals the average fraction of non-black students in schools attended by blacks. An index of 0.0 corresponds to complete segregation.

Source: Oklahoma City Public Schools membership records.

DEFENDANT'S EXHIBIT 63

Racial Composition of Elementary Schools (K-4), 1985-86

Elementary Schools by Race
(Ranked by Percent of Black Students),
Oklahoma City Public Schools, 1985-86

Rank	School	% Black	% Oriental	% Indian	% Spanish	% White	% Non-White
1	Lafayette	2.0	1.0	5.4	5.4	86.2	13.8
2	Shields Heights	4.0	0.3	7.4	21.4	66.9	33.1
3	Hillcrest	5.1	0.8	5.6	4.0	84.5	15.5
4	Arthur	5.7	1.8	8.6	4.1	79.8	20.2
5	Rancho Village	5.8	1.2	4.0	5.2	83.8	16.2
6	Prairie Queen	6.2	2.2	4.3	2.6	84.7	15.3
7	Parmelee	6.3	1.8	8.3	4.6	79.0	21.0
8.5	Davis	6.6	6.0	6.6	15.7	65.1	34.9
8.5	Willard	6.6	3.9	19.7	28.3	41.5	58.5
10	Coolidge	7.3	3.6	5.7	2.3	81.1	18.9
11	Buchanan	7.5	3.7	3.0	5.8	80.0	20.0
12	Lee	7.7	1.3	11.0	24.5	55.5	44.5
13	Southern Hills	8.0	5.1	1.1	6.8	79.0	21.0
14	Van Buren	8.4	0.9	11.9	3.1	75.7	24.3

Rank	School	% Black	% Oriental	% Indian	% Spanish	% White	% Non-White
15	Adams	8.5	0.0	4.5	7.0	80.0	20.0
16	Fillmore	8.7	1.5	3.3	5.7	80.8	19.2
17	Linwood	9.2	1.4	3.3	1.0	85.1	14.9
18	Wheeler	10.0	1.1	8.3	18.9	61.7	38.3
19	Madison	10.5	3.3	2.9	5.3	78.0	22.0
20.5	Hayes	10.7	0.0	4.9	3.4	81.0	19.0
20.5	Mark Twain	10.7	0.0	10.7	10.7	67.9	32.1
22	Heronville	11.0	0.7	8.2	15.4	64.7	35.3
23	Kaiser	11.9	2.3	0.5	4.0	81.3	18.7
24	Quail Creek	13.2	0.5	0.5	0.5	85.3	14.7
25	Columbus	14.9	1.3	9.5	23.5	50.8	49.2
26.4	Pierce	16.7	0.0	5.0	10.4	67.9	32.1
26.5	Sequoyah	16.7	1.2	4.4	4.4	73.3	26.7
28	Ridgeview	16.9	0.7	0.7	0.7	81.0	19.0
29	Hawthorne	17.2	8.1	9.7	12.9	52.1	47.9
30	Monroe	19.1	3.2	1.2	3.2	73.3	26.7
31	West Nichols Hills	21.7	1.5	2.2	1.1	73.5	26.5

Rank	School	% Black	% Oriental	% Indian	% Spanish	% White	% Non-White
32	Westwood	22.3	0.5	6.8	20.9	49.5	50.5
33	Stand Watie	24.8	1.8	7.7	15.0	50.7	49.3
34	Johnson	27.0	0.7	1.3	6.5	64.5	35.5
35.5	Gatewood	30.7	12.1	3.7	10.5	43.0	57.0
35.5	Horace Mann	30.7	4.3	2.7	3.2	59.1	40.9
37	Stonegate	31.0	2.3	0.6	1.6	64.5	35.5
38	Putnam Heights	31.1	9.8	4.0	5.1	50.0	50.0
39.5	Eugene Field	31.3	4.7	9.8	26.5	27.7	72.3
39.5	Wilson	31.3	11.2	4.6	6.6	46.3	53.7
41	Bodine	32.7	1.9	3.2	1.4	60.8	39.2
42	Arcadia	35.6	0.0	6.9	2.8	54.7	45.3
43	Shidler	35.9	0.0	5.9	28.9	29.3	70.7
44	Britton	36.5	1.7	1.7	1.7	58.4	41.6
45	Rockwood	39.0	0.7	6.6	11.1	42.6	57.4
46	Harrison	41.6	0.7	1.3	3.9	52.5	47.5
47	Oakridge	43.5	1.5	3.0	1.5	50.5	49.5
48	Willow Brook	46.3	1.2	1.2	2.7	48.6	51.4
49	Star	54.5	0.0	1.2	0.3	44.0	56.0

Rank	School	% Black	% Oriental	% Indian	% Spanish	% White	% Non-White
50	Telstar	55.8	1.7	3.3	2.1	37.1	62.9
51	Edgemere	56.3	19.3	2.7	6.0	15.7	84.3
52	Western Village	60.0	3.8	0.6	0.9	34.7	65.3
53	Spencer	71.6	0.6	1.4	0.6	25.8	74.2
54	North Highland	96.3	0.9	0.0	0.0	2.8	97.2
55	Dewey	96.6	0.4	0.0	0.0	3.0	97.0
56	Lincoln	97.2	1.0	0.6	0.0	1.2	98.8
57	Parker	97.3	0.0	0.9	0.5	1.3	98.7
58	Polk	98.4	0.4	0.0	0.0	1.2	98.8
59	Truman	98.7	0.0	0.0	0.0	1.3	98.7
60.5	Creston Hills	99.0	0.0	0.0	0.0	1.0	99.0
60.5	Garden Oaks	99.0	0.5	0.0	0.0	0.5	99.5
62	Edwards	99.5	0.0	0.0	0.0	0.5	99.5
63	Longfellow	99.6	0.0	0.4	0.0	0.0	100.0
64	King	99.7	0.0	0.3	0.0	0.0	100.0
District Elementary Students		36.0	2.3	4.2	6.8	50.7	49.3

DEFENDANT'S EXHIBIT 67

Student Population by Race, 1970-1986

Total Enrollment for Oklahoma City Public Schools All Schools

Year	Black Students	Non-Black Students	Total Students	Percent Black	Percent Change in Non-Blacks
1970	16,256	54,833	71,089	22.9	–
1971	16,122	52,718	68,840	23.4	-3.9
1972	16,028	44,646	60,674	26.4	-15.3
1973	14,490	39,706	54,196	26.7	-11.1
1974	14,740	37,403	52,143	28.3	-5.8
1975	14,879	35,283	50,162	29.7	-5.7
1976	14,888	33,053	47,941	31.1	-6.3
1977	14,959	31,315	46,274	32.3	-5.3
1978	14,971	29,291	44,262	33.8	-6.5
1979	14,779	27,692	42,471	34.8	-3.6
1980	14,456	26,505	40,961	35.3	-4.3
1981	14,473	26,304	40,777	35.5	-0.8
1982	14,710	26,717	41,427	35.5	1.6
1983	14,858	25,655	40,513	36.7	-4.0
1984	15,466	24,907	40,373	38.3	-2.9
1985	15,504	24,670	40,174	38.6	-1.0
1986	15,648	24,189	39,837	39.3	-1.9

Source: Oklahoma City Public Schools membership records.

DEFENDANT'S EXHIBIT 76

Minutes, July 2, 1984 School Board Meeting

THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NUMBER 89 OF OKLAHOMA COUNTY, OKLAHOMA, MET IN A REGULAR MEETING IN THE BOARD ROOM, ADMINISTRATION BUILDING, 900 NORTH KLEIN, MONDAY, JULY 2, 1984 AT 7:00 P.M.

Present:	Susan Hermes	President
	LaRue Donwerth	Vice President
	Jean Brody	Member
	Paul Heath	Member
	Betty Hill	Member
	Hugh Long	Member
	Clyde Muse	Member

Others present: Don Wright, Superintendent; Darrel Shepard, Clerk; Ronald Day, Attorney; Don Ladd, Treasurer; Central Office staff members, representatives from professional groups, the news media and other interested persons.

* * *

UNFINISHED BUSINESS

1. The first item of Unfinished Business was consideration to designate Bodine Elementary School as a "stand-alone school", to include grades K, 1, 2, 3, 4, and 5, beginning with the 1984-85 school year.

   Pat Watson, Director of Planning, Research and Evaluation, gave a brief synopsis of the written report as

presented to the Board, dated June 26, 1984. She stated the report dealt with K-4 stand alone and K-5 stand alone schools. There are currently three K-4 stand alone schools in the District, Harrison, Edgemere, and Western Village. By board action this fiscal year, Rockwood will also become a K-4 because the only feeder zone was moved to another school due to low bus ridership. The report also dealt with the proposed 1984-85 Bodine K-4 as one option.

The second part of the report addressed K-5 stand alone schools, which do not send students to fifth year centers, but where students remain in their neighborhoods. Currently, Arcadia and Horace Mann are K-5 stand alone, and Rockwood and Bodine K-5 stand alones are options for 1984-85.

Mrs. Hill asked if and when staff would be recommending Rockwood as a stand alone. Dr. Wright responded that at this point in time staff hasn't fully considered it; but the information on Rockwood is contained in the report.

Dr. Muse asked if Horace Mann and Arcadia were considered stand alone based on the same criteria. Mrs. Watson said Arcadia's stand alone status was based on different criteria because of its isolated location; however, the racial balance was in compliance. Horace Mann has been a stand alone K-5 since the inception of the Finger Plan.

Continuing with the report, John Fink, Research Associate, discussed the K-4 portion of the report as follows:

"For Bodine to become a K-4 stand alone would involve reassigning the feeder students from the Creston Hills area currently attending Bodine to Hayes. Approximately 11 students would have to be reassigned, all of whom are black. The reassignment of these 11 students would really have no impact on the capacity at either Bodine or Hayes. The Creston Hills students would

travel an additional two miles, but it would be shorter time for them because of access to the freeway. Recall that the Creston Hills students are currently assigned to three elementary schools. The assignment would be to Hayes and Oakridge. No elementary and fifth year clusters would be broken with this plan. All schools would remain in compliance with the policy on racial balance. There would be no transportation savings for the district with this plan.

"Let us now consider a K-4 stand alone at Rockwood. Currently, fifth grade students who reside in the Rockwood neighborhood are assigned to Longfellow or Page Woodson. If Rockwood were to be made a K-5 stand alone school, approximately 81 students would have to be reassigned; 23 black students, 58 non-black students. There, is adequate capacity at Rockwood to allow for these additional 80 or so students. Two portables would be freed up at Longfellow from this reassignment that could be used elsewhere. Again with this reassignment, all schools would remain in compliance with Policy JC regarding racial balance; i.e., no need to adjust Longfellow or Page Woodson. Both schools would remain in compliance, even though the fifth grade students from the Mark Twain neighborhood were brought back to their stand alone area. Approximate annual savings in transportation costs to the District, $18,000.

Belinda Biscoe, Research Associate, reported on the K-5 options:

"This will be a summary of what we talked about at the last Board Meeting, which was the feasibility of making Bodine a K-5 stand alone for the next school year. The number of reassignments would total 146 students; 49 black students, and 97 non-black students. In terms of capacity, Bodine would need an additional four

portables. The students who are currently assigned to Bodine from the Creston Hills neighborhood were recommended to be reassigned to Hayes. Hayes does have adequate capacity to accommodate those students. The travel distance would be two miles further for the Creston Hills students, but there is less travel time because there is access to the freeway. Once the Bodine students are taken from Creston Hills, Creston Hills would then be out of compliance in terms of Policies JC and FL on racial balance and school closing criteria. In order to balance Creston Hills, the recommendation was made to take the fifth year students in the Mark Twain neighborhood and reassign those students to Creston Hills. If those students were reassigned to Creston Hills, they would be one mile closer to their homes compared to their current reassignment of Longfellow. Once all these reassignments are made, all of the schools would then be in compliance with the policy on racial balance. In terms of savings for transportation, the District would save approximately $18,000 a year, which is the equivalent of one bus."

There was discussion of the cost of moving portables and demountables versus the savings in transportation. Dr. Muse stated spending $20,000 to move four portables did not represent an $18,000 savings to him. Mrs. Watson replied the transportation savings would be annual as opposed to a one-time expense for moving the portables.

Ms. Brody asked for clarification on the number of portables needed at Bodine before and after the new classroom addition. After the addition is completed, nine portables will be needed. Before the addition, if Bodine becomes a K-5 stand alone, four classrooms would be needed in addition to the 14 portables already there. Dr. Wright said the plan was to use one

demountable, which is the equivalent of three classrooms, and one portable. Dr. Biscoe said once the addition is completed, nine portables would be moved out. Dr. Wright mentioned that whether Bodine is left as it is or made a K-4 or K-5, the demountable would be needed there for the future because of the growing population of that area.

Mrs. Watson concluded the Research Department's report. She spoke concerning why two schools, Bodine and Rockwood, were being considered for K-4 or K-5 stand alone status as follows:

"Our charge was to look at the entire district for schools that could qualify as stand alone K-4 or K-5. As we looked at all the schools in the District, these two popped out for these reasons: Low ridership in the Rockwood area was a reason for establishing a K-4. The Board took that action, so we have eliminated having just a few students on a bus being the only feeder zone into Rockwood. At Bodine, the overcrowding has been an issue and it is currently racially balanced. Eleven students are not going to make a large difference, but it would somewhat relieve the overcrowding.

"As we look at K-5 schools, these two schools also pop out again because they are in integrated neighborhoods and they are farther from fifth year centers than other schools that we looked at. The transportation, because of their distance, is an issue of students' time on the bus as well as cost. The reassignment of fifth graders would not seriously impact the fifth year centers that these students are assigned to."

Jesse Lindley, Assistant Superintendent for Educational Services, then presented a report on comparison of the instructional programs at Horace Mann (stand alone K-5) and Polk Fifth Year Center as follows:

"Basically, there are differences between the two programs in that you have more students in a grade at Polk than you do at Horace Mann. There are some things you can do when you have more students in a grade than you can when you have just one class. We have one and a fraction classes of fifth grades at Horace Mann.

"In summarizing the differences, we do have a Chapter I Lab at Polk, which we don't have at Horace Mann, but that's because Horace Mann doesn't qualify for Chapter I services. We do have a visual arts program in all the fifth year centers. We have not been providing that at the stand alone school. This year, it was provided because there was some free time available on the schedule of the artist-in-residence. Both schools have the vocal music programs. Polk has a string program, which Horace Mann does not. (The string program) is the special feature of the 5th year centers.

"Another feature of the fifth year centers program which is available at Polk and which is not available at Horace Mann, is the special interest sessions. In the special interest sessions, students are spread out over a number of interests that they may have; typing, creative writing, newspaper – whatever the students are interested in. They spend approximately 50 minutes per week pursuing that special interest."

"Both Horace Mann students and Polk students have the career awareness program. Both have Opening Doors programs. Both have the physical education program. With regard to an intramural program, Polk does have an intramural program that Horace Mann does not, and that's primarily a function of the number of students available, which makes it possible to have an intramural program at Polk. There are such few

students at Horace Mann in the fifth grade that you can't very well have an intramural program."

In response to questions from Dr. Heath and Mrs. Donwerth, Mrs. Watson stated there were 55 fifth year students at Horace Mann, 293 at Polk, nine at Arcadia; and that there has been no study done comparing the test scores of the Polk and Horace Mann fifth graders.

Mrs. Hermes asked what, if any, of the fifth year programs would be at Bodine if it became a K-5 stand alone. Dr. Lindley said staff would not recommend that the visual arts program or the strings program be instituted at Bodine. He said having an intramural program would depend on whether there were enough students in the fifth grade and whether the principal and staff there wanted to sponsor it. He said the special interest sessions would be somewhat dependent upon the school staff and whether they were willing to assume the responsibility for it.

Mrs. Donwerth asked what the rationale was for not including the visual arts or strings programs at Bodine. Dr. Lindley stated that when the fifth year centers were established, they were made unique in order to provide something that was not available in other schools. He said over the years there has been a push to provide some of those things at the other schools, for example, physical education and vocal music. He said it was the Board's prerogative to change that direction if they saw fit.

Mrs. Donwerth said she had a problem with punishing a group of students because they are in a naturally integrated neighborhood by not providing some of the programs contained in the fifth year centers; however she did think some type of uniqueness should be maintained in the fifth year centers.

Mr. Long made a statement concerning the special fifth year centers programs. He felt all fifth grade

students should receive the services that those in fifth year centers do, and that it was unfair to the students at Horace Mann right now that they do not.

Ms. Brody asked what the original rational was for keeping Horace Mann a K-5 school in the original court order. Mrs. Watson responded with a brief history as follows: "In 1972 there were 11 schools that were allowed by the court to remain K-5 neighborhood schools based on the spring projections. However, three of those, including Arcadia, started the school year exceeding the black/other ratio that was anticipated. In 1974, Nichols Hills was made a K-4; it was an original K-5. North Highlands was changed from a K-5 to a fifth year center. Overcrowding at Edgemere caused it to drop off the list, becoming a K-4 in 78-79. In 1980-81, looking at the racial balance in all the schools, all the schools dropped off except Arcadia by reason of location, and Horace Mann by reason of natural integration. Horace Mann was one neighborhood that was naturally integrated, and it was a board member's recommendation to keep it as a K-5. At that time, the long range planning committee had spoken to discontinuing K-5's, but that was not a unanimous decision, and the Board decided to leave Horace Mann as a K-5."

Hearings

The following persons addressed the Board concerning the recommendation to designate Bodine Elementary School a K-5 stand alone for 1984-85:

1. Jerry Ellington, representing neighborhood watch association and surrounding Bodine neighborhood
2. Don Johnson, Patron
3. Leonard Benton, Urban League of Greater Oklahoma City
4. Pat Musgrave, Patron

Mr. Ellington spoke in opposition to busing and in support of the recommendation to designate Bodine a stand alone K-5. He presented the Board with a petition signed by approximately 337 patrons who supported the recommendation.

Mr. Johnson stated he believed the Finger Plan was working; and felt a comprehensive study should be conducted and a plan developed to effect a smooth transition before Bodine is to become a stand alone school.

Mr. Benton expressed concern that if a trend toward K-5 stand alone schools continued, the northeast quadrant would see more and more fifth year centers close. He said alternatives should be explored, including re-establishment of elementary schools in the northeast quadrant that would have the chance to become stand alone.

Ms. Musgrave said she though it was time the District started looking at solutions to Bodine's problems.

Mrs. Donwerth made the motion, seconded by Mr. Long, to designate Bodine Elementary School as a stand alone K-5 school beginning with the 1984-85 school year.

Dr. Heath then moved that the motion be amended to reflect that Bodine Elementary School be designated a stand alone K-4 school beginning the 1984-85 school year. The motion was seconded by Dr. Muse.

Prior to voting on the amended motion, Board members made the following (edited) statements:

(Dr. Muse) "There are at least four things that I think ought to be considered as we think about moving to the posture of stand alone schools in our community. As it relates to the Bodine situation, I would suggest to you that the proposal as it presently stands is educationally unsound. Don Johnson spoke to one of the primary deficiencies in the program in that you're moving from a 558 member student body to a 784

member student body. What Don Johnson did not suggest or add is that this transition is taking place while you are at the same time installing a new principal. We're moving from 14 portables to 18, and when the new $1 million addition is completed, we will still need 9 portables.

"While we are talking about only 11 students, these 11 students are human beings. They have formed acquaintances and alliances at their present educational site. Can we move them just as we would pawns, chips, inanimate objections? Is it just a matter of two and a half miles further, or does it involve the warm blooded innocent black children who are manipulated needlessly? As we think about the one-room school as we talk about portables, we need to keep in mind that there is a lot of folklore about the one-room school; but it did not include the demountable or the portable. When we lauded the one-room school, we were talking about something that was in the infancy of our nation.

"Fiscally, I think the recommendation is irresponsible. We're talking about $18,000, which is not, in fact, $18,000. Though day you may eliminate one bus, you're going to have to extend the use of another bus, and thoses buses don't run on air. You need to actually evaluate the actual amount of fuel and all that's involved before you can assess what the actual savings would be, even though you take one bus off. But then when you take into account that you must put in one demountable at $25,000 or four portables at $5,000 each, that, to me, does not sound like good fiscal management.

(Dr. Muse, cont'd) "Another problem with this whole proposal is it reeks with injustice. There is no equity in treatment as far as the students themselves are concerned. Mr. Benton has already spoken to the fact that the Finger Plan in its inception required all black kids, grades one through four, to be bused into the majority community. That fact alone stifles the

growth of the Northeast Quadrant. What parent with a pre-school child, who is aware that his child is going to have to be bused, would buy a home in that location?

"As you think about the overall program, it seems like it was a deliberate, concerted effort to deal injustice upon our community – and that's not enough, it seems. At every opportunity that comes along, one more stroke to further impoverish the Northeast Quadrant is taken, and I refer as a case in point to the recent decision to move the Cowboy Hall of Fame. So there seems to be a deliberate, concerted effort to see to it that not only will the black community or the Northeast Quadrant not integrate, there also seems to be a concerted effort on somebody's part to see that it always remains impoverished. Grade five kids were to be bused into the Northeast Quadrant, and then after that, into the middle schools and high schools which are scattered throughout the district. If we take out the 104 students out that are currently going to Creston Hills, that brings that school, with the 55 or whatever the number is that's going to be bused in, down to 188 fifth grade students. If the kindergarten program fluctuates or falters, Creston Hills gets on the closing list. And what's true of Creston Hills is true of Dewey, it's true of Garden Oaks, it's true of about 6 of the 13 fifth year centers that exist right now in the Northeast Quadrant. I suggest to you that that is simply not justice.

"The final thing that I think we need to consider relates to No. 7 of our Board Goals. We said that we want to be careful to institute programs that have human relations and public relations value. If by "human" we mean all humans, and if by "public" we mean all of the public, then we need to recognize that this recommendation is a human relations and public relations disaster because it does not promote good feelings for the school district in the black community. I think that what we really ought to do is have a study that tells us how far we've come. It ought to

take into account demographic information, all of the kinds of projections that we are so capable of gathering; a concerted, planned, strategy-developed, step-by-step (plan), followed to enhance educational offerings for all of the students in all of this district; I do not believe that we ought to piecemeal it and place this district in the posture of having to react rather than act, and that's exactly what we're doing if we pass this recommendation because it is just a matter of time before the pressure begins to mount and you will have to move some more schools into the stand alone posture."

(Mrs. Donwerth) "I understand where Dr. Muse is coming from; my concern is we hear a lot about the black community and what their thoughts are on this. I'm curious to know if that is a geographical area when we refer to the black community or if are we referring to the black population. I really feel like we're talking about moving only 11 students versus 104 students including many black students. I think the $18,000 is the yearly cost savings (of bus transportation). I don't think these parents and these students should be punished because of the overcrowding at Bodine. They had nothing to do with the fact that we don't have the money to build them a gigantic school to house their children in – I'm sure they'd love that. I was thrilled that we were able to get through a million dollar addition (at Bodine).

"I've been in the school system for several years. To me, the court order was designated because there were inadequacies and inequities in education throughout Oklahoma City. Our children have had to pay the price for that – for what the adults did. Our kids have had to suffer the ills of society. I would suggest that we can no longer be considered about geographical areas; we have to be concerned about kids in this district, and what is best for (all of the) kids. I feel like that's what the court order (Mrs. Donwerth, cont'd) was all about. I think we should celebrate the fact that this community has integrated

naturally. I feel like its a slap in the face to those of us who have stayed with the District and not moved out to other areas and have tried to raise our kids in Oklahoma City schools, and there are many of us that have done that and worked to help build the school system because we believed right was right and wrong was wrong. I don't think two wrongs make a right, and that is why I am excited about the Bodine School.

"Dr. Muse alluded to Creston Hills and placing them on the closing criteria. With the plan the staff has provided for us, this would not come about. They would receive students from another area that would keep them above the closing criteria. That is why I am encouraging the Board Members to support this move."

(Dr. Heath) "I would like to discourage the passing of the original motion for educational reasons. To me, after looking at the criteria and the information that the staff has prepared, I, frankly, have changed my mind in terms of what is educationally best for the district as a whole. I can't support the motion for K-5; obviously, I can support the concept K-4 because it is, I think , in the long run meeting the Board's goals and educational needs of the community. I think it will cost considerably more to go to K-5. I think it will impact the total district in a way that the District is not ready to address. I don't feel staff is really ready to address it, and I don't think this Board is really ready to address the ultimate impact of starting down a road when we really don't know where the road leads. I want to encourage those of you who don't have your mind made up to consider my amended motion K-4 instead of K-5 for educational reasons."

(Ms. Brody) "I've been in this school system 18 years, and this is the first time I've sat in this auditorium, either as a Board member or a patron, when we discussed changing of transportation plans and school assignments, and I would like to compliment

the people in the auditorium on their effect. I think it's a sign of growth of this system. I'm kind of proud of all of you. It's (like) we've grown up together.

"I'm at a real dilemma. Dr. Ellington talked about the fifth year center and the lack of continuity. I rarely will bring up experiences, but my children all went to the fifth year centers and I think they are extraordinarily fine. They went the first year, the third year, and the sixth year of the Finger Plan, and we all learned together. But I also represent a district that has stand alone schools. I have Arcadia, which is unique, and I have two elementary schools, K-4, that are stand alone. Mr. Long and I both have students at John Marshall, which is a stand alone high school. Frankly, we are very proud of that and the neighborhoods and what that has represented and the growth in the Northeast Quadrant.

"I have a problem with the diminution of the fifth year centers because I am – a strong advocate of them. I would not ever again want to sit here and decide to create another fifth year center until we have done a long, comprehensive plan. I would like to see if it's possible to put a K-5 school in the Northeast Quadrant. We've never really looked at that very hard, but I think that certainly we should look at that. I especially think a comprehensive look needs to be taken at where we are as far as demographics and things like that. I don't think we should ever again create a K-5 stand alone school until we've done that.

"I'm concerned that during the Rockwood discussion I kept hearing about Mark Twain students. 'Stand alone' is 'stand alone'. I have come a long way in the consideration of Bodine Elementary, and it has not been easy. I think that's why I appreciate (the parents) affect up here today, and I will support the K through 5 concept at Bodine, but it's the last time until we go a comprehensive study. I do want a comprehensive study looking at the Northeast Quadrant."

(Mrs. Hill) "I find myself in a big dilemma, having been on the Board as long as I have. I have probably spent more hours than most Board members, especially with Clyde and LaRue, as we've debated this back and forth. I'll probably go back to my original concept. If you'll all remember, the original purpose of the Finger Plan called for the integration of neighborhoods and allowed for additional stand alone schools. I've lost some in my area, and as we've talked about Rockwood tonight, which is in my area, I'm really disturbed to think that staff and the Superintendent would recommend Bodine and not both Bodine and Rockwell. I see this as a very peicemeal [sic] way of doing things, and I don't think this board does things in a piecemeal fashion.

"I then have to look at the other side of the coin and ask if I should penalize the parents from Bodine because they have reached the status of a K-5 integrated neighborhood. I do believe that if we are going to have K-5 schools they must be for everyone – we cannot just pick and choose. This, of course, would give us basically two K-5 schools. I think I'm hearing the Board say Rockwood is not gong to make it, and this is sad. I guess I've always believed in stand alone schools, so that's probably where I'm coming from, but I really am disappointed that we're going to have to piecemeal it. I, too, think this board needs to do a study so that we can look at some other alternatives to see what will best benefit the kids in Oklahoma City. I'm hoping that maybe that is where we will end up."

Voting on the amended motion, on roll call the votes were as follows: Ms. Brody, no; Mr. Long, no; Mrs. Hill, no; Mrs. Donwerth, no; Dr. Muse, aye; Dr. Heath, aye; Mrs. Hermes, aye. Three aye, four no. Mrs. Hermes declared the motion failed.

On roll call for the original motion, the votes were as follows: Ms. Brody, aye; Mr. Long, aye; Mrs. Hill, aye; Mrs. Donwerth, aye; Dr. Muse, no; Dr. Heath, no;

Mrs. Hermes, no. Four aye, three no. Mrs. Hermes declared the motion carried.

Mrs. Hermes passed the gavel to Mrs. Donwerth, Vice President, and made the following motion:

"I move that we begin a study right now on the racial progress in the I-89 school district, and ask the committee to bring back to the Board its recommendations next year. I think that this Board needs to look at that at the same time we look at potential school closings."

The motion was seconded by Ms. Brody, and is for action at the next regular Board Meeting, July 16, 1984.

Dr. Muse made the following motion, for action July 16, 1984:

"I move that we also make Lincoln a stand alone K-5 school."

The motion was seconded by Ms. Brody.

Mrs. Hill then made the following motion, for action July 16, 1984:

"I move that we consider Rockwood as a stand alone K-5 because it does not involve moving any students."

The motion was seconded by Mrs. Donwerth.

DEFENDANT'S EXHIBIT 79

Minutes, November 19, 1984 School Board Meeting

THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NUMBER 89 OF OKLAHOMA COUNTY, OKLAHOMA, MET IN A REGULAR MEETING IN THE BOARD ROOM, ADMINISTRATION BUILDING, 900 NORTH KLEIN, MONDAY, NOVEMBER 19, 1984 AT 7:00 P.M.

PRESENT:	Susan Hermes	President
	LaRue Donwerth	Vice President
	Jean Brody	Member
	Paul Heath	Member
	Betty Hill	Member
	Hugh Long	Member
	Clyde Muse	Member

Others present: Don Wright, Superintendent; Darrel Shepard, Clerk; Ron Day, Attorney, Central Office staff members, representative from professional groups, the news media and other interested persons.

* * *

Special Report – Board Committee Report on Student Assignment

With Mrs. Donwerth presiding, Dr. Muse, Mrs. Hermes, and Mrs. Hill presented their report as follows:

(Dr. Muse) "In July of 1984, we as members of the Oklahoma City School Board charged ourselves with the responsibility of studying the I-89 elementary K-5 grade schools. We investigated elementary grade schools with regard to

neighborhood racial makeup, potential busing reduction, possible boundary changes, and possible grade realignments. Although many options were explored, we will first present the one that was most feasible. Other options will be discussed briefly at the end of our report.

"Our purpose in undertaking this study was multi-faceted. First, we wanted to know if we could maintain a unitary school system. Second, we wanted to establish K-4 schools in the northeast section of the district where there are none currently. Third, we wanted to look at the effects of creating more K-5 stand-alone schools. Fourth, we wanted to maintain K-4 neighborhood schools with stability. Fifth, we wanted to increase pride and parental involvement in all out schools. And last, but of utmost importance to our board, we wanted to continue to be an integrated school district in an urban setting.

(Mrs. Hermes) "Now let's look at the specifics of this plan. At the elementary level, the plan calls for K-4 neighborhood schools throughout the district. Please note pages 5 and 6 of your booklets, titled Proposed Student Assignment Plan. On the overhead, all the schools shown would become neighborhood K-4 schools. Please note that under this plan, all of the fifth year centers, which are in the Northeast Quadrant, would become K-4 neighborhood schools. In addition, all of the current K-5 schools, Arcadia, Bodine, and Horace Mann, would become K-4 neighborhood schools.

"In arriving at a plan for fifth year centers, we divided the district into four sections. We will be referring to these sections as number 1, 2, 3, and 4. Note that Arcadia is in section 2. Our plan calls for one fifth year center in sections 1, 2, and 3, with two fifth year centers in section 4 where there are many more students.

"In section 1, Green Pastures is recommended as the fifth year center for the Star Spencer area. All the students currently at Parker would be reassigned to Green Pastures, as Parker would become a K-4 neighborhood school under this plan. K-4 students in the Green Pastures attendance area would all be reassigned to Spencer Elementary. Green Pastures was selected primarily for reasons of centrality.

"Eisenhower is the recommended fifth year center for section 2. Eisenhower was chosen in preference to Hoover because we felt it would be better to transport the majority of students at the fifth year level for one year as opposed to three years of busing for middle school.

"Classen is the recommended fifth year center in section 3. The Classen High School age population is not currently nor in the future predicted to be large enough to support as comprehensive a program as can be offered to a larger student body. Therefore, we felt that the facility could better be utilized as a fifth year center. In addition, the Classen building is desirable as a fifth year center location with reduced transportation and more space.

"Two fifth year centers are recommended in section 4 since there are many more fifth year students in this area. We propose converting both Capital Hill Middle and Webster Middle into fifth year centers. Capital Hill Middle is proposed because it has the space, a swimming pool, large auditorium, and a location that can allow us to reduce transportation for more students.

"Webster is proposed as the second fifth year center site since its location is also excellent for reducing travel and housing the types of programs needed for fifth graders. There is also space at this site to build a pool."

(Mrs. Hill) "Since this proposed plan relocates students at a few middle schools and high schools, the next part of our report addresses the impact of these proposed recommendations at the middle school and high school levels. Let's first attend to the impact of the proposed plan at the middle school level.

"If both Webster and Capital Hill Middle become fifth year centers, students from these schools would have to be reassigned among the current middle schools in the southern part of the district, Jackson, Jefferson, and Roosevelt. Since the remaining middle schools could not totally absorb all the students from Capitol Hill Middle School and Webster, a new middle school would have to be created, Southeast High School was the logical choice since it was originally designed to be a junior high school, but has housed high school students. It is large enough to accommodate a large number of middle school students and is in a strategic location to reduce transportation. As a result of not wanting to adversely impact any one middle school's enrollment or black/other ratio, displaced students from Capital Hill Middle School and Webster Middle School would be reassigned among all middle schools in the south. All middle schools would remain racially balanced under this plan.

"Now let's focus on the high school assignments. Under the proposed plan, Classen High School would be converted into a fifth year center, and Southeast High School would be converted into a middle school. The attendance areas and zones assigned to Classen and Southeast High School can be absorbed at Grant, Capitol Hill High, Douglass, Northeast, and Northwest Classen. All of the high schools would continue to be racially balanced.

"We feel that there are many benefits to this proposed plan, not only for our students and parents, but also for the community at large. The implementation of this plan will provide neighborhood schools, K-4, establish fifth year centers in all areas, reduce busing, improve programs, increase parents' participation, and increase community involvement and support.

"There were other options explored that seemed less desirable. We will briefly discuss these. One alternative would establish K-5 or K-6 neighborhood schools. One major drawback to either plan is building capacity. More programs are being offered to meet the special needs of students than in past years. We do not have the facilities to house K-5 or K-6 at many of our elementary schools, much less allow for any growth in the student population, and many would have to close due to low enrollment. Further the Board feels that the fifth grade is the latest point in a student's education where integration needs to occur for us to have a positive inter-racial climate in a unified, desegregated district. The Board is also committed to the fifth year concept where we could offer a unique and comprehensive educational program for students.

"Another option would be for us to continue with our present policy and as neighborhoods become more integrated, convert K-4 schools to K-5 neighborhood schools. This option would continue to call for students at K-4 schools to attend fifth year centers in the Northeast Quadrant of the district and would not allow for residents in the Northeast Quadrant to have neighborhood schools."

(Dr. Muse) "In closing our report, let me reiterate that the Board's plan for elementary students establishes K-4 neighborhood schools in

all areas of the district with five fifth year centers also located in all sections of the district. We feel that this plan maintains a unified and desegregated schools district, yet allows for reduced busing, improved educational programs, increased opportunity for parental involvement, and increased community involvement and support."

Dr. Muse then made a motion that the Board of Education vote on the three options presented by the Board Committee on December 17, 1984. In the meantime, meetings would be held across the district to inform the public. The motion was seconded by Dr. Heath. On roll call the votes were as follows: Ms. Brody, aye; Mr. Long, aye; Mrs. Hill, aye; Mrs. Donwerth, aye; Dr. Muse, aye; Dr. Heath, aye; Mrs. Hermes, aye. All aye.

Mrs. Donwerth stated the plan was the committee's proposal, not necessarily that of the full board.

Ms. Brody commented that the Board and Administration would have to be very sensitive to the feelings of students and patrons as they met with the community to discuss the plan. She also said when the agreement (with the teachers) was negotiated it was done so without the knowledge that schools might be changed around. She wanted to know how the contract would affect transfers of teachers as well as classified personnel should the plan be implemented. Ms. Brody addressed the group from Southeast High School and stated she knew it had been traumatic for them as they learned of the proposed plan.

Dr. Heath suggested one way of disseminating accurate information to the community about the plan would be to have a "phone bank" set up and staffed by qualified

persons. Mrs. Hermes responded that it was already being arranged.

Mrs. Hermes remarked that the Board Committee had spent many hours since the committee was formed in July working with the Research Department, looking at all the options. She said she knew change was painful; that this was the best plan the committee could come up with that would continue an integrated system while allowing more neighborhood schools and reduced busing. She encouraged the patrons and students to attend the "town meetings" scheduled for November 26 and 27, 1984. She announced that a Special Meeting was scheduled for December 10, 1984 for public hearings prior to the Board's voting on the three options on December 17, 1984.

Mrs. Donwerth said she believed the concept of the plan was good; however, she was concerned about the students, patrons and teachers of Southeast High School. She thought there were a lot of questions that had not been answered yet, but that the Board was trying to look at the overall good of the district. She said board members would work with the community and spend as much time with them as possible.

Dr. Heath also pointed out that the committee had studied the plans very carefully, but invited anyone with an alternate plan to present it to the Board.

* * *

DEFENDANT'S EXHIBIT 108

Majority-To-Minority Transfers

May 6, 1987

OKLAHOMA CITY PUBLIC SCHOOLS

TRANSFER DATA

Table 1

One-year Kindergarten Option
(Computer code "M01")

Year	Grade	# Black	# Other	Total
1984-85	K	38	60	98
1986-87	K	36	40	76
TOTALS		74	100	174

Table 2

Majority to Minority Transfer Option, 1985-86
(Computer Codes "NO1," "NO2," and "NO3")

Year	Grade	# Black	# Other	Total
1985-86	K	14	4	18
	1	54	4	58
	2	96	2	98
	3	73	5	78
	4	76	4	80
TOTALS		313	19	332

Table 3

Majority to Minority Transfer Option, 1986-87
(Computer Codes "NO1," "NO2," and "NO3")

Year	Grade	# Black	# Other	Total
1986-87	K	4	2	6
	1	17	2	19
	2	38	3	41
	3	61	4	65
	4	46	4	50
TOTALS		166	15	181

Source: Oklahoma City Public Schools computer files, 1984-85, 1985-86, 1986-87

DEFENDANT'S EXHIBIT 119

Extracurricular Activities Report – High Schools

OKLAHOMA CITY PUBLIC SCHOOLS
HIGH SCHOOLS
EXTRACURRICULAR ACTIVITIES REPORT

	1976-77			1986-87		
	Non-Black	Black	% Black	Non-Black	Black	& Black
1. Cheerleaders	50	27	35.1	62	44	41.5
2. Student Council Members	285	146	33.9	143	123	46.2
3. Student Council Officers	36	19	34.5	33	28	45.9
4. Band Members	463	269	36.7	213	267	55.6
5. Pep Club	1010	221	17.9	58	58	50.0
6. Pep Club Officers	76	12	13.6	7	13	65.0
7. Freshman Class Officers	18	13	41.9	26	19	42.2
8. Sophomore Class Officers	22	12	35.3	25	9	26.5
9. Junior Class Officers	28	19	40.4	15	21	58.3
10. Senior Class Officers	26	20	43.5	22	32	59.3
Athletics						
11. Football	510	336	39.7	110	191	63.5
12. Football 9th	–	–	–	–	–	–
13. Boys Basketball	96	258	72.9	26	233	89.9
14. Girls Basketball	98	105	51.7	22	175	88.8
15. Wrestling	158	36	18.6	90	105	53.9
16. Cross Country	88	25	22.1	70	64	47.8
17. Boys Track	75	100	57.1	21	112	84.2
18. Girls Track	47	96	67.1	26	135	83.9
19. Boys Tennis	152	10	6.2	73	9	10.9
20. Girls Tennis	109	13	10.7	109	4	3.5
21. Swimming	151	17	10.1	130	5	3.7
22. Golf	96	5	4.9	86	8	8.5
23. Gymnastics	170	331	66.1	–	–	–
24. Baseball	147	61	29.3	162	62	27.7
25. Softball	130	62	32.3	75	109	38.4
TOTAL DISTRICT ENROLLMENT	4041	2213	35.4	1604	1826	53.2
	9897	4880	33.0	5773	4501	43.8

IRS
5/4/87

DEFENDANT'S EXHIBIT 120

Extracurricular Activities Report – Middle Schools

OKLAHOMA CITY PUBLIC SCHOOLS
MIDDLE SCHOOLS
EXTRACURRICULAR ACTIVITIES REPORT

	1976-77			1986-87		
	Non-Black	Black	% Black	Non-Black	Black	& Black
1. Cheerleaders	42	8	16.0	77	24	23.8
2. Student Council Members	157	103	39.6	150	116	43.6
3. Student Council Officers	2	2	50.0	16	22	57.9
4. Band Members	879	295	25.1	370	234	38.7
5. Pep Club	0	0	–	114	84	42.4
6. Pep Club Officers	0	0	–	7	1	12.5
Other Activities						
7. Volley Ball	45	60	57.1	63	89	58.6
8. Wrestling	115	61	34.7	110	76	40.9
9. Advanced Orchestra	18	5	21.7	114	36	24.0
10. Intermediate Orchestra	21	12	36.4	104	22	17.5
11. Advanced Band	48	38	44.2	280	197	41.3
12. Beginning Band	442	36	46.2	239	162	40.4
13. Boys Basketball	6	24	80.0	39	121	75.6
14. Girls Basketball	23	29	55.8	38	102	72.9
TOTAL DISTRICT ENROLLMENT	1398 7252	673 3586	33.4 33.1	1721 4914	1286 3299	42.8 40.2

IRS
5/4/87

DEFENDANT'S EXHIBIT 140

Parental Organization Statistics

PARENTAL ORGANIZATIONS AND ACTIVITIES*
OKLAHOMA CITY PUBLIC SCHOOLS

	1984-85	1985-86	1986-87
Numbers of Schools with Parent-Teacher Associations	15	28	42**
PTA Membership	1,377	2,476	3,358
Open House Attendance at Elementary Schools	11,478	15,231	16,645
Parent/Teacher Conference Day Attendance	11,250	14,025	14,995

*Source: State PTA Membership Records (attached); School District Records.

**After state PTA membership data was submitted, PTA units formed at 5 more schools bringing the total number of PTA units to 47 as of May 5, 1987. The membership in these 5 PTA units is 132. In addition to the 47 PTA units, 21 other schools in 1986-87 have Parent-Teacher Organizations (PTO's) with a membership of 1,571.

DEFENDANT'S EXHIBIT 142

Adopt-A-School Statistics

Adopt-A-School Program*

Oklahoma City Public Schools

	1984-85	1985-86	1986-87
Numbers of System-Wide Adopting Organizations	1	16	21
Number of Adopting Organizations	53	369	349**
(Number of Adoptions)	(111)	(378)	(522)
Elementary	16	137	239
Fifth Grade Centers	4	26	17
Middle Schools	4	140	48
High Schools	26	33	27
Special Centers	3	33	18

Value of Donated Services and Materials

Adopt-A-School as shown on p. 19, Statistical Profile	Data Not Maintained	$1,213,064	Current Estimate $1,000,000***
American Institute of Architects reported this amount after publication of Statistical Profile		467,916	
Total		$1,681,000	

*Source: 1985-86 Statistical Profile; Current School District Records

**American Institute of Architects (AIA) decreased actual number of architects involved in Adopt-A-School from 1985-86 to 1986-87 but increased number of projects from 1 to 5

***Final figures for the 1986-87 school year are yet to be compiled.